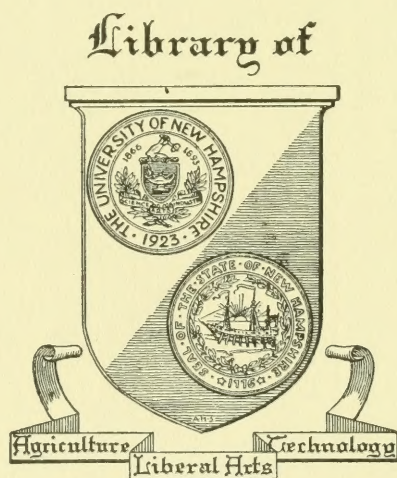






*O. W. Henderson*



The University  
of  
New Hampshire











JOURNAL  
OF THE  
HONORABLE SENATE  
JANUARY SESSION OF 1935



NH

328.74

N5315j

Jan. 1935,

SS 1934

RUMFORD PRESS  
CONCORD, N. H.



# JOURNAL

*of the*

## HONORABLE SENATE

JANUARY SESSION OF 1935

---

WEDNESDAY, JANUARY 2, 1935.

At eleven o'clock in the forenoon of the first Wednesday in January in the year of Our Lord, One Thousand Nine Hundred and Thirty-Five, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the Capitol in the City of Concord in said State and His Excellency the Honorable John G. Winant, Governor, attended by the Honorable Council having come into the Senate Chamber, took and subscribed the oaths of office and were duly qualified as Senators agreeably to the provisions of the Constitution, namely:

- |           |     |                       |
|-----------|-----|-----------------------|
| Dist. No. | 2.  | George D. Roberts     |
|           | 3.  | Clarence L. Bailey    |
|           | 4.  | Ansel N. Sanborn      |
|           | 5.  | Harry Manson          |
|           | 6.  | Maurice G. Wiley      |
|           | 7.  | Anson C. Alexander    |
|           | 8.  | John J. Condon        |
|           | 9.  | Charles F. Butler     |
|           | 10. | George F. Knowlton    |
|           | 11. | Winfred C. Burbank    |
|           | 12. | Eliot Avery Carter    |
|           | 13. | Honore E. Bouthillier |
|           | 14. | John G. Marston       |

15. Donald McLeod
16. William F. Harrington
17. John E. Barrett
18. John A. Foley
19. Aime Martel
20. Haven Doe
21. Austin L. Calef
22. William M. Cole
23. Arthur W. Brown
24. Charles M. Dale

His Excellency the Governor, the Honorable Council withdrawing, the Senate was called to order by Benjamin F. Greer, Clerk of the 1933 session of the Senate.

The Clerk stated that the first business was the election of a temporary presiding officer.

On motion of Senator Doe, seconded by Senator Wiley, Senator Alexander was chosen temporary presiding officer.

The Clerk requested Senators Wiley and Doe to conduct the temporary presiding officer to the Chair.

The Senate proceeded to the choice of a President by ballot with the following result:

Whole number of votes cast.....	23
Necessary for choice.....	12
Honorable Haven Doe had.....	7
Honorable Charles M. Dale.....	16

and the Honorable Charles M. Dale having received a majority of all the votes cast, was declared elected.

On motion of Senator Doe, the election of President Dale was made unanimous.

The Chair requested Senators Carter and Doe to escort the President to the Chair.

The President having assumed the Chair addressed the Senate as follows:

For the honor of presiding over this branch of the Legislature of New Hampshire I extend to you my sincere thanks. I wish also to thank you for the beautiful flowers which I find on my desk. I undertake the duties of this office with a deep



appreciation of our joint responsibility and ask your whole hearted cooperation in the service of our state.

Political parties are essential to the maintenance of representative government. In a republic such as ours, covering a great area extending from ocean to ocean and from Canada to Mexico, with over one hundred and thirty millions of people, possessing vast resources, and with far flung agricultural, industrial and commercial enterprises, a pure democracy like that of ancient Greece or a nation-wide town meeting is impracticable and impossible.

The only feasible way for our citizens to express their views on state or national policies is through those compact organizations of our men and women voters that we call political parties.

I would differentiate between political parties that afford the opportunity for the expression of the will of the people and partisan politics which seeks individual preferment and factional advantage.

The election is over, the time for partisan politics has passed. The time for service and statesmanship is here. To the best interests of the state and to the welfare of the nation we should dedicate our minds, our hearts and our highest endeavors.

We should be sympathetic to those in need, helpful to all who are in distress, constructive in our efforts for the promotion of industry and for better conditions of labor, and faithful always to the citizens of this state who have chosen us as the trustees of their honor and welfare.

I await your pleasure.

On motion of Senator Martel, the following resolution was adopted.

*Resolved*, That Senator Marston cast one ballot for Benjamin F. Greer as Clerk, Frank M. Ayer as Assistant Clerk, Raymond B. Lakeman as Sergeant-at-Arms, William W. Allen as Doorkeeper, Benjamin H. Bragg as Messenger, and that Benjamin F. Greer, Frank M. Ayer, Raymond B. Lakeman, William W. Allen and Benjamin H. Bragg are hereby elected for the several positions named, respectively.

Thereupon, Benjamin F. Greer, Frank M. Ayer, Raymond B. Lakeman, William H. Allen, and Benjamin H. Bragg appeared, signified their acceptance of the offices to which they were elected respectively and were duly sworn to the faithful discharge of their duties before the President.

A True Record:

BENJAMIN F. GREER,  
*Clerk for 1933-34.*

A True Copy. Attest:

BENJAMIN F. GREER,  
*Clerk for 1933-34.*

On motion of Senator Alexander, the following resolution was adopted:

*Resolved*, That the rules of the Senate for the last session be the rules of the Senate for the present session until otherwise ordered.

On motion of Senator Martel, the following resolution was adopted:

*Resolved*, That until otherwise ordered the Senate will meet at eleven o'clock in the forenoon.

On motion of Senator Roberts, the following resolution was adopted:

*Resolved*, That the Secretary of State be requested to furnish the Senate with the official returns of votes from the various senatorial districts for the state.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the return of votes from the several senatorial districts be referred to a select committee of three with instructions to examine and count the same, and report to the Senate whether any vacancies exist, and, if so, in what senatorial districts.

The President appointed as members on such Committee Senators Alexander, Butler and Barrett.

On motion of Senator Marston, the following resolution was adopted:

*Resolved*, That the House of Representatives be informed that the Senate having assembled has organized by the choice

of Charles M. Dale as President, Benjamin F. Greer as Clerk, Frank M. Ayer as Assistant Clerk, Raymond B. Lakeman as Sergeant-at-Arms, William W. Allen as Doorkeeper and Benjamin H. Bragg as Messenger, and is now ready to proceed with the business of the session.

On motion of Senator Sanborn, the following resolution was adopted:

*Resolved*, That the Clerk of the Senate be authorized to furnish at the expense of the State during the session of 1935 two such daily newspapers printed within the State to the members and officers of the Senate as such members and officers may select and to the Governor and Council.

On motion of Senator Manson, the following resolution was adopted:

*Resolved*, That the Clerk be instructed to procure the services of Mrs. Bessie Callaghan and Mrs. Ruth Cotton, two stenographers, one for use of the committees and one as an assistant for the clerks of the Senate, each to perform such duties as may be assigned to her.

Pursuant to the above resolution, the Clerk appointed Bessie A. Callaghan, of Manchester, and Ruth Cotton, of Lebanon, as stenographers for the session.

Senator Butler offered the following resolution and moved its adoption:

*Resolved*, That the President be authorized to appoint a Doorkeeper, an Assistant Messenger and a Telephone Messenger for the ensuing session.

(Discussion ensued)

Senator Doe offered an amendment to the resolution, striking out the word, "Doorkeeper," where it appears so that said resolution as amended shall read, "*Resolved*, That the President be authorized to appoint an Assistant Messenger and a Telephone Messenger for the ensuing session."

Senator Carter requested a division.

Sixteen Senators having voted in the affirmative and six in the negative, the affirmative prevailed and the amendment was adopted.

The question being stated,



Shall the resolution be adopted,

On a *viva voce* vote the resolution was adopted.

Pursuant to the above resolution, the President appointed Martin C. Ryan as Assistant Messenger and John Henson as Telephone Messenger for the session.

On motion of Senator Harrington, the following resolution was adopted:

*Resolved*, By the Senate, the House of Representatives concurring, that the joint rules of the last session of the Legislature be the joint rules of this session until otherwise ordered.

On motion of Senator Calef, the following resolution was adopted:

*Resolved*, That all bills and joint resolutions reported by the Committees, with the exception of new bills originating in the Committees, shall be handed to the Clerk, who shall cause a list of said bills and joint resolutions to be published in the Appendix to the daily journal together with a report of the Committee previous to their presentation to the Senate.

On motion of Senator Cole, the following resolution was adopted:

*Resolved*, That the rules of the Senate be so far suspended as to permit all highway bills to be heard concurrently by the Committee on Public Improvements and the Committee on Finance.

On motion of Senator Brown, the following resolution was adopted:

*Resolved*, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for Governor and Councilors agreeably to the provisions in the Constitution at 4:30 o'clock this afternoon, and for the election of a Secretary of State, State Treasurer and Commissary General.

The Senate took a recess subject to the call of the chair.

Senate called to order. On motion of Senator Cole the Senate adjourned.

## AFTERNOON

The Senate re-assembled.

## HOUSE MESSAGE

The following message received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following resolution:

*Resolved*, That the House of Representatives will be ready to meet the Honorable Senate at 4 o'clock to-day for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make.

## MESSAGE FROM THE GOVERNOR

It is the duty of those who serve in Executive authority to administer the State Government over a fixed period of time and then to transmit it unimpaired to duly elected successors. Custom has sanctioned a statement by the retiring administration as a part of the formal exercises of transfer. Therefore, in bidding you welcome to these legislative halls I also appear before you to deliver a brief farewell address.

It seems unnecessary on this occasion to burden you with a cataloguing of acts passed and actions taken that are already a matter of record. If there is need, these may be gathered in a single document for your convenience and presented in printed form on a later date.

Much that has been done beyond the continuance and improvement of established institutional and departmental services has had to do with the unusual needs of individuals and communities because of the depression. A large part of the important legislation initiated in the last session of the Legislature was temporary in character and enacted to meet an emergency. Time and experience are necessary to perfect legislation and to insure orderly procedure and effective administration. It has been my hope that you would improve and not destroy what has gone before. The cessation of the State Relief Act in mid-winter weather is, in my judgment, a tragic mistake. This Act was passed to establish a cen-

tralized agency to coordinate Federal, State and local agencies in handling and accounting for money collected and expended for relief. Its object was to protect people from hunger and cold and at the same time limit the tax burden that normally would have been charged against the land. While it remained law those two objectives were accomplished. The most serious defect of the Act, which has gone almost unnoticed, was to attempt to fix in the law the total spendings of the State and its subdivisions. You cannot, with any assurance of exactitude, forecast needs in times like these. It is due to increased grants by the Federal Emergency Relief authorities that we have been able to meet necessary demands with the hope of balancing accounts when all bills are in and due money paid.

The Emergency Financial Act has been helpful where local credit was wanting.

We have been compelled to recognize that the forces of the economic emergency were so sweeping that it was necessary to call upon the authority and power of the National Government to cope with a situation that involved the welfare of all the people of the United States. In order that Government might function effectively the coordination of all arms of Government was necessary. In New Hampshire we have done everything in our power to cooperate with the Federal Government and the State has used its taxing power and its credit to aid and support local government. We have also come to realize the inadequacy of much of our present governmental machinery to meet the needs of the times, and I believe that we should make a conscious and planned effort to so integrate and coordinate the functions of government as to place essential services of government within effective fields of authority.

Social trends and Federal action have required emergency appropriations by the Governor and Council in the field of industrial and labor regulation. The organization of the Labor Department is totally inadequate to meet present day needs. It is essential to both industry and labor that constructive measures be taken in this work field, which returns



us our largest share of income and on which a majority of our working population are dependent for their living.

In marking out the advances we have made in meeting the depression we are conscious as a people that we are moving forward along three major sectors: Relief, recovery and reform are essential parts of permanent progress. Relief was necessary to supply food, clothing and shelter to the destitute. Recovery because self-support and self-government are synonymous, and reform in order that we may look forward to greater security and a more abundant life. Some questioned the expediency of moving in three directions; but to the practically-minded a three-legged stool would stand, and to the spiritually-minded the theology of the Trinity was not difficult to a man whose heart was right. Experience had taught us that common sense and plain, good intentions were more than half the fight.

Yet, in approaching those broad economic problems that affect the lives of all our people, we want to be aware when we are experimenting and mentally alert to the hazards involved. We want to distinguish between what things are temporary and what things are of permanent value. It is not only that we must deal with the emergency which involves administrative difficulties, but that we must work for permanent stability while using temporary expedients to treat with immediate emergency needs.

No man can live by himself alone; nor can any group in the complex social order of to-day safely attempt to support itself at the cost and to the detriment of other groups. Contagion in one section of a community endangers the health of the entire community. Economic misery in one group undermines economic stability in other groups. The experience of the last years has taught us that awareness of inter-relationship of individuals and social groups is a requisite to successful living in a modern world.

I wish you and the incoming administration every success in meeting the problems that wait your attention here. No government could ask for a finer constituency. The patience, the courage, and the character of the citizenry of New

Hampshire in these troubled times stands like a bright light against a darkened sky. May I remind you in representing them that the large majority never personally appear to plead their cause, and that too often the sound of tinkling cymbals or the harsh cries of discord are mistaken for the voice of the people. We have tried always to remember that a people's government rests on an abiding faith in the goodness of mankind, and it has been our desire to represent the deep, silent convictions which have protected the home life of New Hampshire since the days of our fathers.

No one ever accomplishes much alone. If we have been able to have been of any service, it has been because many people have worked and sacrificed for the common good. May I express my personal appreciation and the gratitude of the State to my co-workers and those other men and women in office and out of office who have dedicated their time and themselves to public service.

You are stepping to-day into the public workshop of your State. Its compensations are great, simply because giving lifts life; but its disappointments are no less real. In bidding you good-bye and God speed may I pass on to you a bit of courage spoken to a group of younger men by Theodore Roosevelt more than 25 years ago. It helped me; I hoped it might help you.

"It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

In laying down rules and commandments for governing society, remember the three great virtues, because they are

built into every fibre of American life;—Faith, Hope, and Charity. And the greatest of these is Charity.

#### STANDING COMMITTEES

On return to Senate Chamber the president directed the Clerk to read the following standing and standing Joint Committees of the Senate.

*Agriculture*:—Senators Sanborn, Roberts, Condon, Brown, Marston.

*Banks*:—Senators Harrington, McLeod, Carter, Marston, Burbank.

*Claims and Incorporations*:—Senators McLeod, Butler, Wiley, Martel, Doe.

*Education*:—Senators Roberts, Sanborn, Carter, Butler, Doe.

*Elections*:—Senators Foley, Knowlton, Bouthillier, Sanborn, Martel.

*Finance*:—Senators Alexander, Cole, Calef, Harrington, Bailey.

*Fisheries and Game*:—Senators Wiley, Cole, Alexander, Barrett, Roberts.

*Forestry*:—Senators Kelley, Carter, Marston, Roberts, Knowlton.

*Insurance*:—Senators Calef, Manson, Doe, Brown, Butler.

*Judiciary*:—Senators Cole, Alexander, Calef, Butler, Burbank.

*Labor*:—Senators Condon, Wiley, McLeod, Bailey, Carter.

*Liquor Laws*:—Senators Bailey, Burbank, Condon, Wiley, Alexander.

*Military Affairs and Soldiers' Home*:—Senators Bouthillier, Foley, Manson, Carter, Roberts.

*Public Health*:—Senators Barrett, Wiley, Alexander, Brown, Bouthillier.

*Public Improvements*:—Senators Brown, Bailey, Cole, Calef, Sanborn, Carter, Roberts, Kelley, Burbank.

*Transportation*:—Senators Manson, Calef, Cole, Burbank, Bailey.



*Revision of Laws:*—Senators Doe, McLeod, Marston, Bailey, Manson.

*State Hospital and Laconia State School:*—Senators Butler, Condon, Wiley, Harrington, Kelley.

*State Prison and Industrial School:*—Senators Knowlton, Harrington, Kelley, McLeod, Martel.

*Towns and Counties:*—Senators Martel, Alexander, Bouthillier, Brown, Harrington.

*University of New Hampshire and Normal Schools:*—Senators Carter, Condon, Cole, Calef, Manson.

*Ways and Means:*—Senators Burbank, Bailey, Marston, Condon, Wiley, Barrett, Brown.

*Coastwise Improvements:*—Senators Marston, Bouthillier, Cole, Martel, Brown.

*Joint Rules:*—President Dale, Senators Alexander, Doe.

*Engrossed Bills:*—Senators Manson, Doe.

*State House and State House Yard:*—Senator Foley.

*State Library:*—Senator Harrington.

#### RULES OF THE SENATE

1. The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, if ordered by the president or called for by any other member, and any erroneous entry shall be corrected.

2. No member shall hold conversation with another during the reading of the journal, or while a member is speaking in debate.

3. Every member, rising to speak, shall address the president and when he has finished shall sit down.

4. No member shall speak more than twice on the same question, on the same day, without leave of the Senate.

5. More than one member rising to speak at the same time, the president shall decide who shall speak first.

6. If any member transgress the rules of the Senate, the president shall, or any member, may, call him to order; in which case the member so called to order shall sit down, and the Senate, if appealed to, shall decide the case but if there be no appeal, the decision of the president shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. A motion shall be seconded before it is debated; and if required by the president or any member, it shall be reduced to writing.

9. When any question is under debate; no motion shall be received, but, first, to adjourn; second, to lay on the table; third, for the previous question; fourth, to postpone indefinitely; fifth, to postpone to a certain day; sixth, to commit; seventh, to amend; which several motions shall have precedence in the order in which they are arranged. No motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or proposition, until after an adjournment.

10. If the question under debate will admit of division, any member may have it divided; and, in filling blanks, the longest time and the largest sum shall be put first.

11. When the reading of a paper is called for, and the same is objected to, it shall be decided by a vote of the Senate, and without debate.

12. When the yeas and nays are required, each member shall declare his assent or dissent to the question, unless for special reasons he be excused by the Senate.

13. When a motion is made to shut the doors of the Senate, on the discussion of any business which in the opinion of any member may require secrecy, the president shall require the gallery to be closed; and the doors shall remain closed until the subject is disposed of.

14. After a motion has been decided, it shall be in order for any member who voted with the majority, or if the Senate be equally divided, any member voting on the side prevailing, to move for a reconsideration thereof, unless the bill, resolution, report, amendment, or motion on which the vote was taken has gone from the possession of the Senate; but no motion to reconsider shall be in order unless made the same day on which the vote was taken or the next day after that on which the vote was taken, on which the Senate shall be in session.

15. Before any petition or memorial address to the Senate shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. Every bill shall be read three times before its passage and the President shall give notice at each time whether it be the first, second or third reading; each reading of the bill shall be by title only unless there is a request from any member of the Senate for the full reading of the bill; no bill after it has been read a second time shall have a third reading before an adjournment.

17. All resolutions which may require the signature of the governor shall be treated in the same manner as bills.

18. When a bill shall have been read a first time and ordered to a second reading, it shall be immediately read a second time by its title, and by the President referred to the appropriate standing committee, unless otherwise ordered by the Senate.

19. All bills introduced in the Senate, to repeal or modify an existing statute, shall refer to the act proposed to be repealed or modified by the title and session at which it was passed, and no bill shall refer to any statute by the number of the chapter of the pamphlet laws.

20. The Senate may resolve itself into a committee of the whole at any time on motion made for that purpose; and in forming a committee of the whole, the President shall leave the chair, and may appoint a chairman to preside in committee. The President may at any time name any member to perform the duties of the chair; but such substitution shall not extend beyond one legislative day.

21. The last question, upon the second reading of a bill or resolution, shall always be, Shall it be read a third time? and no amendment shall be received or discussed on the third reading of any bill or resolution unless by consent of sixteen members present, but it shall at all times be in order, before the final passage of a bill or resolution, to move its commitment; and should such commitment take place, and an amendment be reported, the bill or resolution shall again be



read a second time, and considered as in committee of the whole.

22. The titles of bills, and such parts thereof as may be affected by proposed amendment, shall be entered on the journals.

23. All bills, resolutions, and addresses, after passing the Senate, shall be signed by the President and all warrants and other processes issued by order of the Senate shall be under his hand and seal attested by the clerk.

24. The following standing committees, to consist of five members each, shall be appointed at the commencement of any session; a Committee on Agriculture; a Committee on Banks; a Committee on Claims and Incorporations; a Committee on Education; a Committee on Elections; a Committee on Fisheries and Game; a Committee on Forestry; a Committee on Finance; a Committee on Insurance; a Committee on the Judiciary; a Committee on Labor; a Committee on Liquor Laws; a Committee on Military Affairs and Soldiers' Home; a Committee on Public Health; a Committee on Transportation; a Committee on Revision of Laws; a Committee on Public Improvements consisting of nine members; a Committee on State Hospital and Laconia State School; a Committee on Towns and Counties; a Committee on University of New Hampshire and Normal Schools; a Committee on Ways and Means consisting of seven members. There shall also be a Committee on Rules, consisting of three members, one of whom shall be the President.

25. All committees shall be appointed by the President, unless otherwise directed by the Senate.

26. When the Senate shall concur with the House of Representatives in the appointment of a joint committee, consisting of not more than five members of the House, two members shall be added on the part of the Senate, but when more than five, three members of the Senate shall be added.

27. Messages shall be sent to the House of Representatives by the clerk of the Senate.

28. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is

engaged in putting the question, in calling the yeas and nays, in counting the ballots, or in reading the journal.

29. All questions shall be put by the President, and each member of the Senate shall signify his assent or dissent by answering yea or nay. If the President doubts, or a division is called for, the Senate shall divide. Those in the affirmative of the question shall first rise from their seats and stand till they be counted. The President shall then rise and state the decision of the Senate.

30. No person except the members of the executive, or members of the House of Representatives and its officers, shall be admitted within the bar of the Senate, except by invitation of the President, or some member with his consent.

31. The Senate shall adjourn to meet at eleven o'clock in the morning and two o'clock in the afternoon of each day unless the Senate shall otherwise order.

32. Motions to adjourn, to lay on the table, for the previous question, and to take from the table, shall be decided without debate.

33. No standing rule of the Senate shall be suspended unless two-thirds of the members present vote in favor thereof, and no rule shall be rescinded unless one day's notice of the motion has been given and two-thirds of those present vote therefor.

33. Each bill and joint resolution, except private acts, originating in the Senate shall be declared by the President to be laid upon the table, and the clerk directed to procure a sufficient number of printed copies thereof for the use of the Senate, and cause the same to be distributed to the members, and when so printed and distributed the bill shall be immediately delivered to the committee to which it shall have been referred. Every bill or joint resolution so introduced shall be headed "Senate Bill" or "Senate Joint Resolution," as the case may be.

Every bill and joint resolution appropriating money, which has been favorably reported by another committee, shall be recommitted to the Committee on Finance for revision.

The Senate took a recess subject to the call of the chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following resolution.

*Resolved:* That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in joint convention for the purpose of canvassing the votes for Governor and Councilors, agreeably to the constitution and for the election of a Secretary of State, State Treasurer and Commissary General at 4:30 o'clock this afternoon.

(See House Proceedings)

## HOUSE MESSAGE

On return to Senate chamber the following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has passed the following resolution.

*Resolved:* That the Honorable Senate be informed that the House of Representatives has organized by the choice of Amos N. Blandin as Speaker, Harrie M. Young as Clerk, Cyril J. Fretwell as Assistant Clerk and Guy S. Neal as Sergeant-at-Arms and is now ready to proceed with the business of the session.

On motion of Senator Cole the Senate adjourned.

---

THURSDAY, JANUARY 3, 1935.

The Senate met according to adjournment.

## INTRODUCTION OF BILLS

Senator Dale introduced the following entitled bill which was read a first time.

Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

Senator Doe moved that the rules be suspended and that all bills and joint resolutions be read a first and second time



by their titles and captions respectively until otherwise ordered by the Senate.

On a *viva voce* vote the motion was adopted and the foregoing entitled bill was read a second time, laid on the table to be printed and referred to the Committee on Transportation.

Senator Cole introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Improvements.

Senate Bill No. 2, an Act to provide for the erection of a State Office building in Concord.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its clerk.

*Mr. President:*

The House of Representatives has passed the following resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 12 o'clock for the purpose of receiving His Excellency, the Governor, and any communications he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

On motion of Senator Harrington the following resolution was adopted:

*Resolved*, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message, at 12 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the transaction of any other business that may properly come before such convention.

Agreeably to the foregoing resolution, the Senate met the House of Representatives in joint convention.

(See House Proceedings)

On return to the Senate Chamber.

## HOUSE MESSAGE

The following message received from House of Representatives by its clerk:

*Mr. President:*

The House of Representatives has passed the following concurrent resolution asking concurrence of the Honorable Senate:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of two on the part of the House and one on the part of the Senate, be appointed to make the necessary assignment for rooms for the presiding officers and committees of the House and Senate and to report said assignments to the House and Senate as early as possible.

On motion of Senator Doe the foregoing resolution was adopted. Pursuant to the above resolution, the President named as member on the part of the Senate, Senator Doe.

The message further stated that the House of Representatives has passed the following resolution:

*Resolved*, That the committee on rules with such members as the Senate may join, be a committee on joint rules of the House of Representatives and the Senate.

On motion of Senator Doe, the rules were suspended and all business in order at two o'clock this afternoon was made in order at the present time.

On motion of Senator Brown, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Doe, the Senate adjourned.

---

FRIDAY, JANUARY 4, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., January 4, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JANUARY 7, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., January 7, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, JANUARY 8, 1935.

The Senate met according to adjournment.

On motion of Senator Alexander, the following resolution was adopted.

*Resolved*, That a joint committee of eight members, consisting of three members from the Senate and five members of the House, be appointed to draft a relief plan.

Pursuant to the foregoing resolution, the President appointed as members on the part of the Senate Senators Alexander, Cole and Calef.

The Honorable Enoch D. Fuller, Secretary of State, appeared and presented the returns of votes for Senators from the various senatorial districts as returned to the Secretary's Office.



## COMMITTEE REPORT

The select committee to whom was referred the returns of votes for Senators from the several districts having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, reports that he finds the state of the vote returned from the several districts as follows:

*First District*

Emmet J. Kelley, Berlin, d. . . . .	3,079	
Fred R. Oleson, Berlin, r. . . . .	2,523	
Edward J. Legassie, Berlin, f-1. . . .	956	
Plurality for Kelley		556

*Second District*

George D. Roberts, Jefferson, r. . .	3,242	
Everett C. Brown, Stratford, d. . .	2,584	
Plurality for Roberts		658

*Third District*

Clarence L. Bailey, Haverhill, r. . .	4,177	
William I. Richardson, Littleton, d. .	3,174	
Plurality for Bailey		1,003

*Fourth District*

Ansel N. Sanborn, Wakefield, r. . .	4,583	
William Pitman, Bartlett, d. . . . .	2,439	
Plurality for Sanborn		2,144

*Fifth District*

Harry Manson, Lebanon, r and d. . .	6,673	
-------------------------------------	-------	--

*Sixth District*

Maurice G. Wiley, Laconia, r. . . . .	4,132	
Bertram Blaisdell, Meredith, d. . .	3,968	
Plurality for Wiley		164

*Seventh District*

Anson C. Alexander, Boscawen, r. . .	3,892	
Louis Henry Douphinett, Franklin, d .	3,657	
Plurality for Alexander		235

*Eighth District*

John J. Condon, Newport, d. . . . .	4,105	
Silas C. Newell, Newport, r. . . . .	3,975	
Plurality for Condon		230

*Ninth District*

Charles F. Butler, Hillsborough, r.	4,476	
James W. Doon, Henniker, d. . . . .	2,298	
Plurality for Butler		2,178

*Tenth District*

George F. Knowlton, Keene, r. . . . .	3,393	
Michael H. O'Neil, Keene, d. . . . .	2,418	
Plurality for Knowlton		975

*Eleventh District*

Winfred C. Burbank, Winchester, r.	3,050	
William D. Fogg, Hancock, d. . . . .	2,199	
Plurality for Burbank		851

*Twelfth District*

Eliot Avery Carter, Nashua, r. . . . .	4,226	
Austin Holt, Lyndeborough, d. . . . .	2,715	
Plurality for Carter		1,511

*Thirteenth District*

Honore E. Bouthillier, Nashua, d. . .	6,059	
Arthur C. Marchand, Nashua, r. . . .	1,481	
Plurality for Bouthillier		4,578

*Fourteenth District*

John G. Marston, Allenstown, d. . . .	3,600	
John F. Tierney, Weare, r. . . . .	3,437	
Plurality for Marston		163

*Fifteenth District*

Donald McLeod, Concord, r. . . . .	3,351	
Edward B. Haskell, Concord, d. . . .	2,573	
Plurality for McLeod		778

*Sixteenth District*

William F. Harrington, Manchester, r.....	3,027	
Frank J. Connor, Manchester, d....	2,464	
Plurality for Harrington		563

*Seventeenth District*

John E. Barrett, Manchester, d....	3,465	
Irving E. Forbes, Manchester, r....	2,803	
Plurality for Barrett		662

*Eighteenth District*

John A. Foley, Manchester, d....	6,310	
J. Adhemar Letendre, Manchester, r.	1,792	
Plurality for Foley		4,518

*Nineteenth District*

Aime Martel, Manchester, d....	2,967	
John B. Montplaisir, Manchester, r.	914	
Plurality for Martel		2,053

*Twentieth District*

Haven Doe, Somersworth, d....	5,254	
Louis H. McDuffee, Rochester, r....	4,158	
Plurality for Doe		1,096

*Twenty-first District*

Austin L. Calef, Barrington, d....	4,435	
Eleazer L. Jones, Dover, r....	3,298	
Plurality for Calef		1,137

*Twenty-second District*

William M. Cole, Derry, r....	5,716	
George McCauley, Londonderry, d..	3,984	
Plurality for Cole		1,732

*Twenty-third District*

Arthur W. Brown, Hampton Falls, r	4,901	
Nathan P. Tobey, Hampton, d....	2,722	
Plurality for Brown		2,179



*Twenty-fourth District*

Charles M. Dale, Portsmouth, r. . . . 4,081

W. Leslie Dining, Stratham, d. . . . . 3,357

Plurality for Dale

724

Senator Emmett J. Kelley of District No. 1 having qualified before His Excellency, the Governor, appeared and took his seat as a member of the Senate.

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following resolution:

*Resolved*, That prayers be offered in the House five minutes previous to the opening hour and that His Excellency, the Governor, the Honorable Council and the Honorable Senate be invited to attend.

The message further stated that the House of Representatives has concurred with the Honorable Senate in the passage of the following resolution:

*Resolved*, That a joint committee of eight members consisting of three members from the Senate and five members of the House, be appointed to draft a relief plan, and the Speaker has appointed as members on the part of the House, Messrs. Keefe of Dover, Wilson of Manchester, Osborne of Sunapee, Miss Greenfield of Rochester, and Weston of Milford.

The President declared a recess until 1:55 p. m.

The Senate reassembled.

On motion of Senator Cole the Senate adjourned.

## AFTERNOON

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives passed the following resolution and asks the concurrence of the Honorable Senate:

*Resolved*, That a joint committee of three members consisting of two members of the House and one member of the

Senate be appointed to act with other committees appointed by His Excellency, the Governor, to make a study relative to the present status of the fish and game situation in New Hampshire and present their recommendations to this Legislature, and the Speaker has appointed on the part of the House Messrs. Stobie, of Hooksett, and Chandler, of Gorham. On motion of Senator Doe, the Senate concurred with the House of Representatives in the adoption of the foregoing resolution.

Pursuant to the foregoing resolution, the President appointed Senator Wiley on the part of the Senate.

On motion of Senator Brown, the Senate adjourned.

---

### WEDNESDAY, JANUARY 9, 1935.

The Senate met according to adjournment.

#### LEAVES OF ABSENCE

Senator Barrett was granted leave of absence for the day on account of important business.

Senator Foley was granted leave of absence for the day on account of illness.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 7, An act relating to the emergency relief administration.

#### READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred.

House Bill No. 7, An act relating to the emergency relief administration.

On motion of Senator Alexander, the rules were suspended, reference to Committee dispensed with, and the foregoing entitled bill was read a third time and passed.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for 2:00 o'clock this afternoon be made in order at the present time.

On motion of Senator Brown, the Senate adjourned.

---

THURSDAY, JANUARY 10, 1935.

The Senate met according to adjournment.

#### LEAVES OF ABSENCE

Senator Bailey was granted leave of absence on account of important business.

Senator Foley was granted leave of absence on account of illness.

#### COMMITTEE REPORTS

Senator Manson for the Committee on Transportation to whom was referred Senate Bill No. 1, An act relating to an extended use of 1934, 1935, and 1936 number plates on motor vehicles, having considered the same, report the same without amendment and recommend its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Manson, the rules were suspended and the foregoing entitled bill was read a third time and passed.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill: House Bill No. 7, An act relating to the emergency relief administration.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business for two o'clock this afternoon be made in order at the present time.

On motion of Senator Knowlton, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it be to meet Friday morning at 9:00 o'clock and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

---

FRIDAY, JANUARY 11, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., January 11, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JANUARY 14, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., January 14, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*



There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, JANUARY 15, 1935.

The Senate met according to adjournment.

HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate:

*Resolved*, That section 13 of the joint rules of the House and Senate be amended by striking out in the third line the word "second" and inserting in place thereof the word "third" so that said section as amended shall read as follows:

13. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the Legislature after the third week of the session, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two thirds of the whole number of members shall, on division taken, vote in favor thereof, and not otherwise.

On motion of Senator Cole, the Senate concurred with the House of Representatives in adopting the foregoing resolution.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

INTRODUCTION OF BILLS

Senator Bailey introduced the following entitled bill and joint resolution which were read a first and second time, laid

on the table to be printed, and referred to the Committee on Revision of Laws:

Senate Bill No. 3, An act in amendment of Section 9, Chapter 70 of the Public Laws relating to taxation of banks and insurance companies.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

Senator Doe introduced the following entitled bill which was read a first and second time, laid on the table and referred to the Committee on Revision of Laws.

Senate Bill No. 4, An act providing for mortgages on personal property to secure loans from government agencies and others.

### COMMITTEE REPORT

Senator Doe for the Committee to whom was referred the assignment of rooms by the President, the standing committees of the Senate and joint standing committees of the Senate and House reported the following resolution:

*Resolved*, That the assignment of rooms to the several committees of the Senate and the joint standing committees of the Senate and House be as follows:

*Agriculture*: State House—Room 120, Department of Agriculture.

*Banks*: State House—Room 141, Bank Commission.

*Claims and Incorporations*: State House—Room 154, Investigation.

*Education*: Patriot Building—Room 300.

*Election*: Senate Gallery.

*Finance*: State House—Room 105, State Treasurer.

*Fisheries and Game*: Patriot Building—Room 204.

*Forestry*: Patriot Building—Room 304.

*Insurance*: State House—Room 113, Insurance Commission.

*Judiciary*: State House—Room 153, Attorney General.

*Labor*: State House—Room 145, Department of Labor.

*Liquor Laws*: Patriot Building in rooms of Liquor Commission.

*Military Affairs and Soldiers' Home:* State House, Room 102, Adjutant General.

*Public Health:* State House—Room 107, Board of Health.

*Public Improvements:* State House—Room 105, State Treasurer.

*Transportation:* State House—Room 145, Department of Labor.

*Revision of Laws:* State House—Room 153, Attorney General.

*State Hospital and Laconia State School:* State House—Senate Stenographer's Room.

*State Prison and Industrial School:* State House—Senate Stenographer's Room.

*Towns and Counties:* State House—Room 153, Attorney General.

*University of N. H. and Normal Schools:* Patriot Building—Room 300.

*Ways and Means:* State House—Room 135, Tax Commission.

*Coastwise Improvements:* State House—Senate Chamber.

#### JOINT STANDING COMMITTEES

*Joint Rules:* State House—Room 128, Secretary of State.

*Engrossed Bills:* State House—Room 128, Secretary of State.

*State House and State House Yards:* State House—Room 123A, Superintendent's Office.

*State Library:* State Library.

On motion of Senator Carter, the following resolution was adopted:

*Resolved,* That the rules be suspended and all business in order for this afternoon at 2 o'clock be in order at the present time.

On motion of Senator Roberts, the Senate adjourned.

WEDNESDAY, JANUARY 16, 1935.

The Senate met according to adjournment.

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following Joint Resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 24, Joint resolution relating to the United States Veterans Bureau administration facilities in Manchester, New Hampshire.

On motion of Senator Carter, the Senate concurred.

## INTRODUCTION OF BILLS

Senator Butler introduced the following entitled bill which was read a first and second time and laid on the table to be printed and referred to the Committee on Public Improvements:

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Pierce Lake.

Senator Calef introduced the following entitled joint resolution which was read a first and second time and laid on the table to be printed and referred to the Committee on Public Improvements:

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

## COMMITTEE REPORT

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill: Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

## MESSAGE FROM THE GOVERNOR

The following message from His Excellency, the Governor, was received by the President:



January 16, 1935.

HONORABLE CHARLES M. DALE,  
*President of the State Senate,*  
State House,

Concord, New Hampshire.

*My dear Mr. President:*

I wish to call the attention of all Members of the Honorable Senate to a new service which has been provided by the State Library.

"Throughout the United States legislative services are functioning with varying degrees of efficiency. Yet up to the present New Hampshire has been without such a service. With ERA help, however, the State Library has set up a legislative department, and will welcome inquiries from members of the legislature and other state officials. Information has been gathered and put into concise form relative to various questions to be considered, such as milk control and state police. The laws of other states on given subjects have been brought together. All this material is available to legislators who may wish to inform themselves either briefly or at more length on any subject."

Sincerely yours,

H. S. BRIDGES,

*Governor.*

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for two o'clock this afternoon be made in order at the present time.

On motion of Senator Foley, the Senate adjourned.

THURSDAY, JANUARY 17, 1935.

The Senate met according to adjournment.

The following communication was received and read by the Clerk:

The Honorable Senate

Concord

New Hampshire

*Gentlemen:*

Pursuant to the direction of Chapter 244 of the Session Laws of 1933 entitled: "Joint resolution providing for a commission to study the laws relative to fire protection and prevention", the special commission of three members, consisting of the Secretary of the New Hampshire Board of Fire Underwriters, one person appointed by the Governor and one person appointed by the New Hampshire Fire Chiefs' Club, having made a study and survey of the laws relative to the subject hereby makes a report of their findings and recommendations.

Yours very truly,

LOUIS CLARNER, JR.,

*Chairman.*

#### REPORT OF COMMISSION

The commission appointed pursuant to Chapter 244, Session Laws of 1933, entitled "Joint resolution providing for a commission to study the laws relative to fire protection and prevention", hereby submits the following report and recommendations:

(1) That there is urgent need of a fire marshal for the State of New Hampshire is apparent, not only to the fire insurance companies themselves, but to boards of firewards and engineers who have the duty of extinguishing fires and investigating their cause. The old argument, calculated to invoke opposition, that the insurance companies are behind any measure designed to minimize losses, is entitled to very little consideration. Increased efficiency in fire departments tends to the same end, and the subject is one in which the

general public ought to be vitally concerned. The fire insurance companies of the state are interested, and rightfully so, as every good citizen ought to be, in any constructive legislation calculated to protect property and punish wrongdoers who intentionally destroy it. It may or may not be possible to control a fire, and arson is one of the most despicable of crimes. It is invariably committed in the night time and the extent of the damage, and whether or not its toll will include innocent lives, is something that the instigator of such a fire cannot determine in advance.

It is true that fire insurance companies insure the property and pay the losses, but the subject goes much deeper. If to the sum total of innocent losses is to be added sufficient fraudulent losses to make the present premium rates inadequate, it is the public which must necessarily pay, to that extent, at least.

During the so-called depression, the fraudulent loss ratio has been high and although it necessarily follows that fewer incendiary fires occur in prosperous periods, nevertheless, experience has shown that, apart from general conditions, arson is on the increase for the simple reason that it pays.

As the automobile has made it difficult to apprehend the criminal, so have the developments in electricity and chemistry rendered it extremely difficult to obtain a conviction in an arson case. In the neighboring Commonwealth of Massachusetts, the office of fire marshal has, however, demonstrated its worth by the amazing results attained and the number of convictions resulting from its investigations.

(2) There is already sufficient law upon the statute books relative to the protection of property against fires, together with ample authority to investigate their origin. The difficulty, however, lies in the fact that the enforcing boards and officials comprise the Insurance Commissioner, who is now over-burdened with duties of major importance, and boards of firewards and engineers of towns and cities, whose duties are to fight fires. The latter, while experienced and trained in their particular callings, are not expected to possess the necessary qualifications to cope with a shrewd arson suspect

who has taken every precaution to avoid detection, and where the building is a total loss, the evidence is usually so far destroyed as to prevent detection, except through scientific means.

New Hampshire is far behind other states in the establishment of scientific police bureaus, whose sole object is the investigation of suspected arson cases. The question might be asked why the office of Attorney General and the solicitors of the several counties cannot perform this important work. The answer is that they must depend upon local police in large measure, or their own investigators, who are likewise men of limited experience in such matters. Arson may almost be said to be a specialized crime. If it is not such, then, indeed, its perpetrators are specially favored by the consequences of their acts; but the suspects are, for the most part, men mentally capable of planning and carrying out their designs to a successful conclusion. The physical evidence, following a fire, to the unpracticed eye, is merely a mass of debris. The average police officer, or detective, is not trained to discover in the mass of ruins those physical characteristics which point to arson. If a fire marshal's office is to be effective, the incumbent must be either specially trained, or adapted to research work and specialization in this special field of crime.

(3) There is no sense in further burdening the state with the office of fire marshal unless (a) the incumbent is fully qualified to undertake this special work; (b) his tenure of office is, at least, three years; and (c) he is given a sufficient appropriation to permit him to function efficiently. To enable the Governor and Council to secure the right man necessitates, of course, a salary at which such a man might be procured.

(4) We believe that the fire marshal should be appointed by the Governor and Council. He is bound to make enemies. For illustration: We will assume that there is but one real industry in a town, which employs all the able-bodied men desiring to work, and that this industry burns under circumstances pointing to the inevitable conclusion that the fire was



of incendiary origin. If the owners should be convicted, it would probably mean the closing down of the factory indefinitely, resulting in irreparable loss to the town. If the insurance companies are forced to pay, it might be rebuilt. Undoubtedly, the townspeople would be public-spirited enough to want to see justice done and would aid the prosecution. It is, however, conceivable that political influence might be exerted to prevent prosecution for the so-called good of the community.

Therefore, the fire marshal should be removed as far as possible from such influence.

(5) The fire marshal could not, of course, be expected to investigate all fires. The duties of the firewards and engineers would remain the same as now, except that there would be one directing head in authority, whose personal responsibility would be to immediately investigate or cause to be investigated, with all the powers at his command, the circumstances of all fires of suspicious origin, and if, in his opinion, prosecution was called for, to prepare the cases for trial. He would, of course, have the power to summon witnesses and compel their attendance at all inquests he saw fit to hold.

He would constitute the supreme authority, in the enforcement of the state laws pertaining to the prevention of fires, fire hazards, the storage, sale and use of combustibles and explosives, the safeguarding of persons and property from fires, or casualties resulting from fires and explosions, and the laws against arson and burning of property, as defined in Chapter 391 of the Public Laws, and with respect to such enforcement, the board of firewards or engineers would be subject to his orders.

(6) It would necessarily take several years to perfect a bureau comparable with those of other states, particularly in the West, or even in Massachusetts. We are satisfied, however, from our investigation, that the progressive results accomplished from the beginning would demonstrate the value to the state and to its property owners of such an office.

(7) The members of the commission, therefore, as the result of their investigation, experience and research, are pre-

senting to the present legislature a bill, embodying what they consider the best features of the laws of several states which have created the office of fire marshal, and which they feel will dovetail with our needs, and respectfully ask your considerate judgment thereon.

Respectfully submitted,

J. B. EAMES,

LOUIS CLARNER, JR.,

Sec'y, N. H. Board of Underwriters

CHAS. H. FRENCH,

for N. H. Fire Chiefs Club

*Members of Commission.*

On motion of Senator Doe the report was accepted, reading dispensed with, and the foregoing was ordered printed in the journal.

On motion of Senator Martel the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon be made in order at the present time.

On motion of Senator Burbank the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it be to meet tomorrow morning at 9 o'clock, and when it adjourns Friday morning it be to meet on Monday evening at 7:30 o'clock.

On motion of Senator Kelley the Senate adjourned.

---

FRIDAY, JANUARY 18, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., January 18, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,

*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JANUARY 21, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., January 21, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, JANUARY 22, 1935.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its clerk.

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

## READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

## TO THE COMMITTEE ON THE JUDICIARY

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

## TO THE COMMITTEE ON FINANCE

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

## INTRODUCTION OF BILLS

Senator Roberts introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game:

Senate Joint Resolution No. 3, Joint resolution making appropriations for fish and game exhibits.

On motion of Senator Wiley, the rules were suspended, printing and reference to the Committee were dispensed with, and the Joint Resolution was placed upon its third reading and final passage at the present time.

Senator Alexander introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor:

Senate Bill No. 6, An act relative to hours of labor for guards and attendants at the state prison.

Senator Marston introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game:



Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont.

Senator Marston introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 8, An act providing for the appointment of highway agents.

Senator Alexander introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 9, An act relative to fees for certificates of approval from the state liquor commission and manufacturer's permits.

Senator Calef introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 10, An act relating to legal investment by guardians.

Senator Wiley introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 11, An act relating to the settlement of paupers.

Senator Bailey introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game:

Senate Bill No. 12, An act relating to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years.

Senator Alexander introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Finance:

Senate Bill No. 13, An act relative to salaries of state officials and employees.

On motion of Senator Cole, the order whereby House Joint Resolution No. 20, Joint resolution providing for a deficiency

appropriation for the executive department, was referred to the Committee was vacated.

On motion of the same Senator, the rules were suspended and the foregoing joint resolution was read a third time and passed.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for two o'clock be made in order at the present time.

On motion of Senator Roberts, the Senate adjourned.

---

WEDNESDAY, JANUARY 23, 1935.

The Senate met according to adjournment.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 86, Joint resolution memorializing the use of granite in the construction of federal buildings and public works.

READ AND REFERRED

The following joint resolution was sent up from the House of Representatives, read a first and second time and referred to the Committee on Public Improvements:

House Joint Resolution No. 86, Joint resolution memorializing the use of granite in the construction of federal buildings and public works.

On motion of Senator Sanborn, the rules were suspended, reference to committee dispensed with, and the joint resolution was placed on its third reading and final passage at the present time.

## COMMITTEE REPORT

Senator Doe for the Committee on Revision of Laws to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, having considered the same, report the same without amendment and recommend its passage. The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

## BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution No. 24, Joint resolution relating to the United States Veterans' Administration Facility, Manchester, New Hampshire.

## INTRODUCTION OF BILL

Senator Harrington under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal co-operation in the stabilizing of the Merrimack River.

On motion of Senator Doe, the following resolution was adopted,

*Resolved*, That all business in order for this afternoon at two o'clock be made in order at the present time.

## THIRD READINGS

The following entitled joint resolution was read a third time and passed:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

## COMMITTEE REPORT

On motion of Senator Alexander, the rules were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Senator Alexander for the Committee on Finance to whom was referred House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said resolution by striking out the words "for the caring of the" in the fifth and sixth lines and inserting in place thereof the words, aid for, and by adding after the word "administration" in the eighth line the words, and for mothers whose applications for aid have been approved by the state board of public welfare, so that said resolution as amended shall read as follows:

That the sum of thirty-four thousand six hundred and fourteen dollars (\$34,614) be and hereby is appropriated for the state board of public welfare to provide aid for mothers previously receiving mothers' aid from funds of the relief administration and for mothers whose applications for aid have been approved by the state board of public welfare. This appropriation shall be for the period of January first, 1935, to July first, 1935. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report of the committee was accepted and the amendment adopted, and the bill ordered to a third reading tomorrow morning at 11 a. m.

On motion of the same Senator, the rules were further suspended and the foregoing joint resolution was read a third time and passed.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:



*Mr. President:*

The House of Representatives has passed the following entitled bill in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 111, An act in relation to tax collectors.

READ AND REFERRED

The following entitled bill was sent up from the House of Representatives, was read a first and second time and referred to the Committee on the Judiciary.

House Bill No. 111, An act in relation to tax collectors.

On motion of Senator Marston, the rules were suspended, reference to committee dispensed with and the foregoing bill was ordered to a third reading at the present time.

On motion of Senator Manson, the following amendment was adopted and the bill as amended was read a third time and passed.

Amend section 1 of the bill by striking out the word "selectmen" in the sixth line and inserting in place thereof the words tax collector, so that said section as amended shall read:

Sect. 1. *Amendment.* Section 28 of chapter 47 of the Public Laws is hereby amended by adding at the end of said section the following: "In case of the sickness or temporary incapacity of a collector of taxes or whenever the necessity may arise the tax collector shall have the power to appoint a deputy collector of taxes who shall give bond and have all the powers of a collector of taxes."

On motion of Senator McLeod, the Senate adjourned.

---

THURSDAY, JANUARY 24, 1935.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Condon, Burbank, Barrett and Martel were granted leave of absence for the day on account of important business.

The following message was received from the House of Representatives by its Clerk:

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the state Board of Health.

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 49, An act relative to the discharge of sewage.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

## READ AND REFERRED

The following entitled bills were sent up from the House of Representatives, read a first and second time and referred To the Committee on Public Health:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the state Board of Health.

House Bill No. 49, An act relative to the discharge of sewage.

To the Committee on the Judiciary:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

## INTRODUCTION OF BILLS

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Committee on Public Health.

Senate Bill No. 14, An act relating to mortuary regulations.

#### COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 10, An act legalizing the November election in the town of Salem,

House Bill No. 3, An act legalizing the November election in the town of Bethlehem,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 113, Joint resolution relating to taxation by the Federal government of net income from the sale of liquor by the State.

#### READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred.

House Joint Resolution No. 113, Joint resolution relating to taxation by the Federal government of net income from the sale of liquor by the state.

On motion of Senator Alexander, the rules were suspended, reference to committee dispensed with, and the foregoing entitled joint resolution was read a third time and passed.

#### COMMITTEE REPORT

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 86, Joint

resolution memorializing the use of granite in the construction of Federal buildings and public works, having considered the same, reported the same under joint rule No. 6, with the following amendment and recommended its passage.

Amend said resolution by adding after the words, "United States" in the first line thereof the words, be requested to, so that said resolution as amended shall read as follows:

That the President of the United States be requested to urge the continued use of granite in the construction of federal buildings and public works.

Amend the caption of said resolution by adding after the word "memorializing" the words the President of the United States relative to, so that said caption as amended shall read as follows:

Joint Resolution memorializing the President of the United States relative to the use of granite in the construction of federal buildings and public works.

The report was accepted, amendments adopted and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, that the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

On motion of Senator Manson, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.



## INTRODUCTION OF BILL

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed, and referred to the Committee on the Judiciary.

Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects.

On motion of Senator Cole, the Senate adjourned.

---

FRIDAY, JANUARY 25, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., January 25, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JANUARY 28, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., January 28, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

TUESDAY, JANUARY 29, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senators Wiley, Butler, Bailey, Harrington, Kelley and Condon were granted leave of absence for the day on account of business of the Senate.

The following message was received from the House of Representatives by its Clerk.

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 50, An act relating to nuisances.

House Bill No. 56, An act relating to relief.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolution:

House Joint Resolution No. 86, Joint resolution memorializing the use of granite in the construction of Federal buildings and public works.

## READ AND REFERRED

The following entitled bills and joint resolutions were sent up from the House of Representatives, read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 56, An act relating to relief.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

To the Committee on Finance,

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

To the Committee on Public Health,

House Bill No. 50, An act relating to nuisances.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

House Joint Resolution No. 86, Joint resolution memorializing the President of the United States relative to the use

of granite in the construction of federal buildings and public works.

House Joint Resolution No. 113, Joint resolution relating to taxation by the Federal government of net income from the sale of liquor by the state.

HARRY MANSON,  
*For the Committee.*

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Cole, the Senate adjourned.

---

WEDNESDAY, JANUARY 30, 1935.

The Senate met according to adjournment.

Senator Alexander presiding

LEAVE OF ABSENCE

Senators Dale and Kelley were granted leave of absence for the day on account of important business.

The following message was received from the House of Representatives by its Clerk:

HOUSE MESSAGE

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following joint resolution, sent down from the Honorable Senate:

Senate Joint Resolution No. 3, Joint resolution making appropriations for the fish and game exhibits.

The message further stated that the House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 46, An act to incorporate the Clark School Foundation.

READ AND REFERRED

The following entitled bill sent up from the House of Representatives, was read a first and second time and referred to the Committee on Judiciary:



House Bill No. 46, An act to incorporate the Clark School Foundation.

#### INTRODUCTION OF BILLS

Senator Sanborn, under a suspension of rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid on the table to be printed and referred, To the Committee on Finance:

Senate Joint Resolution No. 5, Joint resolution in favor of Ralph P. Mitchell.

On motion of the same Senator, the order whereby Senate Joint Resolution No. 5 was referred to the Committee on Finance was vacated and the foregoing joint resolution was referred to the Committee on Claims.

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid on the table to be printed and referred, To a joint committee on Public Improvements and Finance:

Senate Joint Resolution No. 6, Joint resolution for the completion of the state aid road from Goshen to Washington.

Senator Bailey under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid on the table to be printed and referred, To a joint committee on Public Improvements and Finance:

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senator Foley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills, which were read a first and second time, laid on the table to be printed and referred, To the Committee on Judiciary:

Senate Bill No. 17, An act relating to rates and charges of railroads and public utilities.

Senate Bill No. 18, An act relating to appointment of the people's counsel.

Senator Butler under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred, To the Committee on Judiciary:

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees.

### COMMITTEE REPORTS

Senator Calef for the Committee on Judiciary, to whom were referred:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

Senate Bill No. 8, An act providing for the appointment of highway agents, Having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Judiciary, to whom was referred Senate Bill No. 10, An act relating to legal investment by guardians, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words, "at least double in value of the notes" in each place where the words occur in the fifth line and in the nineteenth and twentieth lines, and inserting in place thereof the words, the current assessed valuation of which shall be at least double the value of the notes; further amend said section one by inserting after the words "lives of a ward" where they occur in the ninth and twenty-ninth lines, the words, or wards, so that said section as amended shall read as follows: 1. *Life Insur-*

ance. Amend section 22, chapter 290 of the Public Laws, as amended by chapter 71 of the Laws of 1931, by striking out paragraph 1 and inserting in place thereof the following:

1. In notes secured by first mortgage of real estate properties located within the New England states the current assessed valuation of which shall be at least double the value of the notes. Further amend said section by adding at the end thereof the following: IV. In life, endowment or annuity contracts of insurance companies duly licensed to do business in this state. When purchased, such contracts may be issued on the life or lives of a ward or wards or upon the life or lives of persons in whom such ward has an insurable interest. Such contracts shall be so drawn by the insuring company that the proceeds or avails thereof shall be the sole property of the ward having the beneficial interest in the funds which are invested therein, so that said section as amended shall read as follows: 22. *Approved Classes.* Every guardian of a minor shall invest, in the name of his ward, or in his own name as guardian, the money and the proceeds of all real and personal property of his ward not required for the ward's support in the following described classes of property only: •

I. In notes secured by first mortgage of real estate properties located within the New England states the current assessed valuation of which shall be at least double the value of the notes.

II. By deposit in some incorporated savings bank in this state, or in the savings department of a national bank or trust company located in this state.

III. In such other stocks and bonds as are legal investments for savings banks in this state, with the exception of stocks in banking corporations and trust companies.

IV. In life, endowment or annuity contracts of insurance companies duly licensed to do business in this state. When purchased, such contracts may be issued on the life or lives of a ward or wards or upon the life or lives of persons in whom such ward has an insurable interest. Such contracts shall be so drawn by the insuring company that the proceeds or

avails thereof shall be the sole property of the ward having the beneficial interest in the funds which are invested therein.

The report was accepted, amendments adopted, and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

Senate Bill No. 8, An act providing for the appointment of highway agents.

Senate Bill No. 10, An act relating to legal investment by guardians.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That a committee of three Senators be appointed by the President to examine the condition of the furniture and furnishings of the Senate and to make recommendations as to their repair or replacement.

Pursuant to the foregoing resolution, the President appointed as members of such committee Senators Carter, Calef and Doe.

On motion of Senator Brown, the Senate adjourned.

---

THURSDAY, JANUARY 31, 1935.

The Senate met according to adjournment.

Senator Cole presided.



## LEAVE OF ABSENCE

Senators Kelley, Harrington, Dale and Wiley were granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 87, An act to dissolve Upper Coos Railroad.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

## READ AND REFERRED

The following entitled bill and joint resolution sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Transportation,

House Bill No. 87, An act to dissolve Upper Coos Railroad.

To the Committee on Finance,

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

## COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary to whom was referred House Bill No. 56, An act relating to relief, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Butler for the Committee on the Judiciary to whom was referred House Bill No. 81, An act providing for

an extension of the act relative to the issuance with State guarantee of emergency notes and bonds of towns, cities and counties, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Butler for the Committee on Judiciary to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service for residents of New Hampshire, having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said House Joint Resolution by striking out the words and figures, "three thousand dollars (\$3,000)" in the first line and inserting in place thereof the words and figures, five thousand dollars (\$5,000) so that said resolution as amended shall read as follows: That the sum of five thousand dollars (\$5,000) is hereby appropriated for the payment of bonus to those residents of New Hampshire who would have been entitled to the bonus as provided by chapter 140 of the Laws of 1919 and chapter 1 of the special session of 1919 and who have heretofore and since June 30, 1926, made application therefor, or who may hereafter make application therefor; and the state treasurer is hereby authorized to make payments therefor for those whose names appear on the records in the office of the adjutant-general as entitled thereto or to the legal representatives or heirs of such as have died; and the governor is authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Finance under the rules.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That the Senate request the Superintendent of the State House to make such repairs to the furniture of the Senate Chamber as may be necessary.

On motion of Senator Condon, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

#### THIRD READINGS

The following bills were read a third time and passed:

House Bill No. 56, An act relating to relief.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantees of emergency notes and bonds of towns, cities and counties.

On motion of Senator Manson, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Manson, the Senate adjourned.

---

#### FRIDAY, FEBRUARY 1, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., February 1, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

#### MONDAY, FEBRUARY 4, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., February 4, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, FEBRUARY 5, 1935.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senators Manson and Brown were granted leave of absence for the day on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little Bay.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred

To the Committee on Banks,

House Bill No. 58, An act legalizing and confirming the



incorporation of the Berlin Building and Loan Association.

To the Committee on Revision of Laws,

House Bill No. 69, An act relating to trespasses and malicious injuries.

To the Committee on the Judiciary,

House Bill No. 147, An act regarding lien on real estate.

To the Committee on Public Improvements,

House Bill No. 164, An act relating to the bridge over Little Bay.

### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records, and

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records, having considered the same, report the same without amendment and recommend their passage.

The reports were accepted and the bill and joint resolutions ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 38, An act to amend the charter of Masonic Home, having considered the same, under rule No. 6, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Masonic Home.* Amend chapter 194 of the Laws of 1883 as amended by chapter 151 of the Laws of 1897, chapter 194 of the laws of 1901, chapter 214 of the laws of 1909, and chapter 323 of the laws of 1929, by striking out the whole of section 4 and inserting in place thereof the following:

Senator Manson for the Committee on Engrossed Bills, to whom was referred:

House Bill No. 56, An act relating to relief, having considered the same, under rule No. 6, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act extending the provisions of the emergency act relative to attachment, execution sale and mortgage foreclosure.

Amend section 1 of said bill by striking out the first four lines of said section and inserting in place thereof the following:

1. *Time Extended.* Amend section 24 of chapter 161 of the laws of 1933 by striking out the word "two" in the second line and inserting in place thereof the word, four, so that said section as amended.

The reports were accepted, amendments adopted and the foregoing bills as amended sent to the House of Representatives for concurrence and Senate amendments.

## RECESS

Senate reassembled.

### BILL RECALLED FROM GOVERNOR

On motion of Senator Cole the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

### BILL RETURNED FROM GOVERNOR

Pursuant to the foregoing resolution His Excellency, the Governor, returned to the Senate the following entitled bill:

House Bill No. 81, An act providing for an extension of the

act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

On motion of Senator Cole, the rules were so far suspended as to allow the reconsideration of the vote on House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

On motion of the same Senator, the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of the same Senator, the bill was recommitted to the Committee on Judiciary.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

On motion of Senator Roberts, the Senate adjourned.

---

WEDNESDAY, FEBRUARY 6, 1935.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE

Senator Manson was granted leave of absence for the day on account of illness.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

Senate Joint Resolution No. 3, Joint resolution making appropriations for fish and game exhibits.

HAVEN DOE,  
*For the Committee.*

## INTRODUCTION OF BILLS

Senator Roberts under a suspension of the rules sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time by title, laid upon the table and referred:

To the Committee on Fisheries and Game,

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow Pond in Lancaster.

Senate Bill No. 20, An act to close Martin Meadow Pond in the town of Lancaster to ice fishing.

To the Committee on Transportation,

Senate Bill No. 21, An act relating to pedestrians.

Senator Condon under a suspension of the rules sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time by title, laid upon the table and referred

To the Committee on Transportation,

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Senator Wiley under a suspension of the rules sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time by title, laid upon the table and referred:

To the Committee on Fisheries and Game,



Senate Bill No. 23, An act relating to the taking of salt water smelt.

Senator Harrington under a suspension of the rules sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time by title, laid upon the table and referred

To the Committee on Transportation,

Senate Bill No. 24, An act relating to shatter proof glass on motor vehicles.

### SPECIAL COMMITTEE REPORT

*Mr. President and Honorable Senators:*

Your committee appointed to assist in drafting a Relief Bill has attended to their duties and beg leave to make the following report:

In collaboration with the committee from the House, the Attorney-General's Office and the Governor, we believe we have written a very satisfactory measure. Your committee is enclosing a typewritten copy which might be read at the present time before the Senate.

A. C. ALEXANDER,  
*For the Committee.*

The President declared a recess until 1:55 p. m.

### RECESS

The Senate reassembled.

Senator Harrington invited the members of the Senate and attaches to be his dinner guests at the Eagle Hotel on Wednesday, February 13th. The invitation was unanimously accepted.

On motion of Senator Kelley the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Roberts the Senate adjourned.

---

THURSDAY, FEBRUARY 7, 1935.

The Senate met according to adjournment.

Senator Doe in Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 65, An act relating to the superior court.

House Bill No. 96, An act relating to liquor laws.

House Bill No. 214, An act amending the charter of the city of Nashua.

House Bill No. 284, An act relative to emergency borrowing for the State.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 56, An act relating to relief.

## READ AND REFERRED

The following bills and joint resolutions sent up from the House of Representatives were read a first and second time, and referred:

To the Committee on the Judiciary,

House Bill No. 65, An act relating to the superior court.

House Bill No. 214, An act amending the charter of the city of Nashua.

To the Committee on Liquor Laws,

House Bill No. 96, An act relating to liquor laws.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

To the Committee on Finance,

House Bill No. 284, An act relative to emergency borrowing for the State.

BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 56, An act extending the provisions of the emergency act relative to attachment, execution sale and mortgage foreclosure.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

HAVEN DOE,  
*For the Committee*

On motion of Senator Marston, the following resolution was adopted:

*Resolved*, That all business in order for two o'clock this afternoon be made in order at the present time.

On motion of the same Senator, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of the same Senator, the Senate adjourned.

---

FRIDAY, FEBRUARY 8, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., February 8, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, FEBRUARY 11, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., February 11, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, FEBRUARY 12, 1935.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE

Senators Foley and Martel were granted leave of absence for the day on account of important business.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 134, An act relating to the practice of dentistry.

House Bill No. 203, An act relative to fishing through the ice in Nubanusit Lake and Spoonwood Pond.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Public Health,

House Bill No. 134, An act relating to the practice of dentistry.

To the Committee on Fisheries and Game,

House Bill No. 203, An act relative to fishing through the ice in Nubanusit Lake and Spoonwood Pond.

#### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, having considered the same, reported the same without amendment and recommended that the joint resolution ought to pass.

The report was accepted and the bill was ordered to a third reading this afternoon at 2 o'clock.

#### RESOLUTION

Senator Manson offered the following concurrent resolution:

#### MEMORIAL

To the Congress of the United States, Urging the Elimination of the Taxation of Gasoline by the Federal Government.

---

WHEREAS, The Congress of the United States of America has imposed a tax upon all sales of gasoline; and

WHEREAS, The State of New Hampshire and all other several states of the United States have already imposed taxes upon such sales; and



WHEREAS, The federal tax on such sales is untimely and prohibitive and, coupled with the respective state taxes on such sales, places a burden upon the users of gasoline beyond that which they should carry and beyond that which the traffic can legitimately bear; and

WHEREAS, The taxation of sales of gasoline should properly be left to the exclusive use of the states as a means of providing funds for road construction and maintenance, now, therefore, be it

*Resolved*, By the Senate of the State of New Hampshire the House of Representatives concurring therein, that the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed such legislation as may be necessary to abolish the federal gasoline sales tax and to surrender to the states exclusively the power to tax such sales in the future, and be it further

*Resolved*, That certified copies of this resolution duly certified by the Secretary of State be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States and the Senators and Representatives in Congress from the State of New Hampshire, and that the latter be urged to use their best offices to procure the enactment of such legislation as will accomplish the purposes of this resolution.

The question being on the adoption of the resolution.

(Discussion ensued)

On a *viva voce* vote Chair in doubt.

Senator Carter demanded a division.

Twelve Senators having voted in the affirmative and ten in the negative, the resolution was adopted.

(Recess)

The Senate reassembled.

#### INTRODUCTION OF BILLS

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Judiciary,

Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

On motion of the same Senator the rules were further suspended, printing and reference dispensed with and the foregoing entitled bill read a third time and passed.

Senator Alexander under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Transportation,

Senate Bill No. 26, An act relative to glaring headlights on motor vehicles.

Senator Bailey under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 27, An act relating to Federal transient camps.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at 2 o'clock be in order at the present time.

#### THIRD READINGS

The following entitled joint resolution was read a third time and passed.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

On motion of Senator Cole, the Senate adjourned.

---

WEDNESDAY, FEBRUARY 13, 1935.

The Senate met according to adjournment.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham County.

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

## READ AND REFERRED

The following bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Insurance,

House Bill No. 162, An act relating to foreign insurance companies and their agents.

To the Committee on the Judiciary,

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham County.

To the Committee on Liquor Laws,

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

## COMMITTEE REPORTS

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 5, An act transferring the regulation of lying-in hospital to the State board of health, House Bill No. 49, An act relative to the discharge of sewage, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bills were ordered to a third reading this afternoon at two o'clock.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

## RESOLUTION

On motion of Senator Calef, the following resolution was adopted:

WHEREAS, the Second Interstate Assembly has been called by the Council of State Governments and the American Legislators' Association, to be held on Thursday, Friday, and Saturday, February 28 and March 1 and 2, 1935, at the Mayflower Hotel, Washington, D. C., to consider Federal and State tax policies on the basis of the recommendations submitted by the Interstate Commission on Conflicting Taxation, which was established two years ago by the First Assembly; and

WHEREAS, it is apparent that substantial benefits would result from closer contacts between the Legislative and Administrative Divisions of the various State governments, and that many governmental difficulties are aggravated by the absence of adequate facilities for conference between these bodies; and

WHEREAS, the present economic emergency creates an imperative necessity now emphasized by the President's Program of Economic Security for joint council and concerted action; and

WHEREAS, it is believed that the moment has now arrived for establishing adequate means for communication and conference between the States and the Federal Government; and

WHEREAS, the Senate of this State is invited to send as its delegates to this conference a delegation of its members, to be chosen in such manner as this body may determine; therefore

*Be it resolved*, That the Senate of the State of New Hampshire hereby authorizes and instructs the President to appoint two members in addition to himself as a delegation to

the Interstate Assembly, which convenes in Washington, D. C., on February 28, 1935. Such delegation shall be without power to commit the Senate to action; and

*Be it further resolved*, That the said delegation shall be entitled to reimbursement for its reasonable expenses upon presentation of the proper statement of such expenses; and

*Be it further resolved*, That the Clerk of the Senate immediately advise the corresponding secretary of the conference in care of the American Legislators' Association, Drexel Avenue and Fifty-eighth Street, Chicago, Illinois, of the appointment of such delegation.

#### INTRODUCTION OF BILL

Senator Brown under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid on the table to be printed and referred to the Joint Committee on Finance and Public Improvements:

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State board of public health.

House Bill No. 49, An act relative to the discharge of sewage.

On motion of Senator Cole, the Senate adjourned.

---

THURSDAY, FEBRUARY 14, 1935.

The Senate met according to adjournment.



## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 108, An act relating to the State Planning and Development Commission.

House Bill No. 156, An act relating to school districts.

The message further stated that the House of Representatives has concurred with the Senate in the amendment to the following joint resolution:

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service for residents of New Hampshire.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Education,

House Bill No. 156, An act relating to school districts.

To the Committee on the Judiciary,

House Bill No. 108, An act relating to the State Planning and Development Commission.

On motion of Senator Cole, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was ordered to a third reading at the present time.

Senator Carter offered the following amendment.

Amend the bill by striking out in line 6 after the word, "Council," the words, "no more than three of whom shall be of the same political party," so that said section as amended shall read as follows:

1. *Amendment.* Amend chapter 92, Laws of 1931, by striking out the whole of said chapter and inserting in place thereof the following:

1. *Organization: Members.* The State Planning and

Development Commission is hereby established, consisting of five members, to be appointed by the Governor, with the advice and consent of the Council. The Governor, with the advice and consent of the Council, shall designate one of the members of said Commission as chairman. The members shall hold office for five years, except that the original appointments shall be for one, two, three, four, and five years respectively, and each member shall hold office until his successor shall be appointed and qualified. The members shall serve without pay, but may receive compensation for reasonable expenses incurred in the performance of their duties.

(Discussion ensued)

The question being stated, shall the amendment be adopted. On a *viva voce* vote the negative prevailed and the amendment was not adopted.

The bill was read a third time and passed.

#### COMMITTEE REPORT

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 49, An act relative to the discharge of sewage, having considered the same under Rule 6 reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following: 1. *Camp or Dwelling*. Amend section 32 of chapter 141 of the Public Laws by inserting in the third line before the word "factory" the words, dwelling, camp, so that said section as amended shall read as follows: 32. *Discharge of Sewage; Penalty*. No person, association or corporation shall cause or permit the discharge of sewage or other deleterious waste from any dwelling, camp, factory, hotel, boarding-house or other commercial establishment into any stream, lake, pond or river not hitherto polluted, without first submitting detailed plans of said proposed discharge to the state board of health and securing the approval of the said board. Whoever violates

the provisions of this section shall be fined not less than one hundred nor more than one thousand dollars.

On a *viva voce* vote the amendment was adopted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State board of health.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

#### INTRODUCTION OF BILLS

Senator Cole under a suspension of the rules, sixteen Senators having voted actually in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 28, An act relative to keeping liquor for sale.

Senator Sanborn under a suspension of the rules, sixteen Senators having voted actually in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on the table to be printed and referred to the Committee on the Judiciary:

Senate Bill No. 29, An act relative to weights and measures.

Pursuant to a resolution offered by Senator Calef on Wednesday, February 13th, the President appointed as members of the special committee to attend the Interstate Assembly at Washington, D. C., Senators Calef and Harrington.

On motion of Senator Manson, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

On motion of Senator Butler, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Martel, the Senate adjourned.

---

FRIDAY, FEBRUARY 15, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., February 15, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, FEBRUARY 18, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., February 18, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, FEBRUARY 19, 1935.

The Senate met according to adjournment.

Senator Carter in Chair.

## LEAVE OF ABSENCE

Senator Dale was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Bill No. 187, An act providing for a lunch period for women and minors.

House Bill No. 270, An act relating to the practice of chiropody.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and state-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 288, An act relating to wages.

House Bill No. 289, An act providing for state aid on Class II or Class V highways.

House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds.

House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh.

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

## READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred:



To the Committee on Finance,

House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh.

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

To the Committee on Judiciary,

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds.

To the Committee on Labor,

House Bill No. 187, An act providing for a lunch period for women and minors.

House Bill No. 288, An act relating to wages.

To the Committee on Public Health,

House Bill No. 270, An act relating to the practice of chiropody.

To the Joint Committee on Public Improvements and Finance,

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 289, An act providing for state aid on Class II or Class V highways.

### COMMITTEE REPORTS

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 96, An act relating to Liquor Laws, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Joint Resolution No. 72, Joint

resolution providing for repayment of permit fees to certain persons, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 108, An act relating to the State planning and development commission, having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines of said section and inserting in place thereof the following:

1. *State Planning and Development Commission.* Amend section 33 of chapter 19 of the Public Laws, as amended by chapter 92 of the laws of 1931 by striking out said section and inserting in place thereof the following: 33.

Further amend section 1 of said bill by striking out the nineteenth line thereof and inserting in place thereof the following:

2. *Amendment.* Amend said chapter 19 of the Public Laws by adding after section 33 the following new sections: 33-a. *Advisory Board.* The several responsible executives or

Further amend said section 1 by inserting after the word "state" in the 22nd line the words, planning and

Further amend said section 1 by striking out the heading of the 26th line and inserting in place thereof the following:

33-b. *Duties:* I. Development and Publicity.

Further amend said section 1 by striking out the 36th and 37th lines and inserting in place thereof the following: be credited to the appropriation for said commission for its general purposes.

II. *Research and Planning.* The Commission

Further amend said section 1 by striking out the 49th line and inserting in place thereof the following:

33-c. *Grants.* The commission is authorized to accept in the name of the state

Further amend said section 1 by striking out the 53rd to 56th lines, inclusive and inserting in place thereof the following:

3. *Appropriation.* Any unexpended funds heretofore made available for the use of the state

Further amend said bill by striking out the numbering of the last section and renumber it 4.

The report was accepted, amendments adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendments. On motion of Senator Sanborn, the following resolution was adopted:

#### RESOLUTION

WHEREAS, It is with profound regret that the Senate has learned of the illness of our President and beloved friend, Charles M. Dale,

*Be it resolved*, That this body expresses its sincere sympathy and hope for his speedy recovery and that flowers be sent.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

#### THIRD READINGS

The following entitled bill was read a third time and passed:

House Bill No. 96, An act relating to liquor laws.

On motion of Senator Roberts, the Senate adjourned.

---

WEDNESDAY, FEBRUARY 20, 1935.

The Senate met according to adjournment.

(Senator Doe in Chair)

#### LEAVE OF ABSENCE

Senator Dale was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 287, An act relating to the superior court.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Labor,

House Bill No. 144, An act regarding the weekly payment of wages.

To the Committee on Revision of Laws,

House Bill No. 287, An act relating to the superior court.

To the Committee on Banks,

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

To the Committee on Finance,

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

On motion of Senator Calef, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

To the Committee on the Judiciary,

House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro.

On motion of Senator Sanborn, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

### COMMITTEE REPORTS

Senator Calef for the Committee on Transportation, to whom was referred:

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

House Bill No. 87, An act to dissolve Upper Coos railroad, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Transportation, to whom was referred Senate Bill No. 24, An act relating to shatter proof glass on motor vehicles, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the words, "shatter proof," and inserting in place thereof the word, "safety," so that said title as amended shall read as follows: An act relating to safety glass on motor vehicles.

Further amend said bill by striking out at the beginning of line 3 and also in line 5 after the words, "so called" the words, "shatter proof," and substituting therefor the word, "safety," so that said section as amended shall read as follows:

4a. *Safety Glass.* No motor vehicle manufactured during 1936 or thereafter shall be registered in this state unless all the glass in its windshields, doors and windows is of so-called safety type.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Finance, to whom was referred:

House Bill No. 284, An act relative to emergency borrowing for the State,



House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh, Having considered the same, reported the same without amendment and recommended that the bills ought to pass.

The reports were accepted and the bills ordered to a third reading at two o'clock this afternoon.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 108, An act relating to the State planning and development commission.

On motion of Senator Marston, the rules were suspended and all business in order for two o'clock this afternoon was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

House Bill No. 87, An act to dissolve Upper Coos railroad.

House Bill No. 284, An act relative to emergency borrowing for the State.

House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh.

The following message was received from the House of Representatives by its Clerk:

#### HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 313, An act relating to the sewer system of the town of Claremont.

## READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 313, An act relating to the sewer system of the town of Claremont.

On motion of Senator Condon, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Kelley, the following resolution was adopted:

*Resolved*, That when the Senate adjourns to-day it adjourn out of respect to the memory of former Senator, Ovid J. Coulombe, of Berlin.

On motion of Senator Barrett, the Senate adjourned out of respect to the memory of former Senator, Ovid J. Coulombe, of Berlin.

---

THURSDAY, FEBRUARY 21, 1935.

The Senate met according to adjournment.

(Senator Harrington in Chair)

## LEAVE OF ABSENCE

Senator Dale was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 109, An act relating to the sale of liquor.

House Bill No. 234, An act to be known as the municipal budget act.

House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate, Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness. The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 49, An act relative to the discharge of sewage.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Liquor Laws,

House Bill No. 109, An act relating to the sale of liquor.

To the Committee on Judiciary,

House Bill No. 234, An act to be known as the municipal budget act.

On motion of Senator Marston, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

To the Committee on Judiciary,

House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy.

On motion of Senator Burbank, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

#### COMMITTEE REPORTS

Senator Sanborn for the Committee on Public Improvements, to whom was referred House Bill No. 164, An act re-

lating to the bridge over Little Bay, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senators Calef and Sanborn for the Joint Committee on Finance and Public Improvements, to whom was referred House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted, and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred:

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees,

House Bill No. 147, An act regarding lien on real estate,

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham County, having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bills were ordered to a third reading this afternoon at 2 o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects, having considered the same reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the first sentence thereof, so that said section as amended shall read as follows: 8. *Penalty.* If any person shall wilfully make a false statement in the inventory required by section 6 hereof he shall be deemed guilty of perjury and punished accordingly.

The report was accepted, the amendment adopted and the

bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Marston offered the following resolution:

*Resolved*, That the bill be laid on the table and that the Supreme Court be requested to give an opinion as to the constitutionality of Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects.

The question being stated

Shall the resolution be adopted?

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Senator Carter demanded a division.

Thirteen Senators having voted in the affirmative and eight in the negative, the affirmative prevailed and the resolution was adopted.

On motion of Senator Calef, the rules were so far suspended as to allow the presentation of a committee report not previously advertised in the Journal.

Senators Calef and Sanborn, for the Joint Committee on Finance and Public Improvements, to whom was referred House Bill No. 289, An act providing for state aid on Class II or Class V highways, having considered the same, reported the same and recommended its passage.

The report was accepted and the foregoing entitled bill ordered to a third reading this afternoon at 2 o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 284, An act relative to emergency borrowing for the State.

House Bill No. 307, An act requiring certain claims against the state to be presented for payment on or before March eleventh.

#### INTRODUCTION OF BILLS

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced



the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Banks:

Senate Bill No. 30, An act relating to banks.

Senator Brown under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements:

Senate Bill No. 31, An act relating to the bridge over Belamy river.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order at the present time be made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little Bay.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 289, An act providing for State aid on Class II or Class V highways.

#### ADDRESS

Senator Harrington introduced Charles Dillon, better known as Chief Nettlebean, of the Alaska Indians, who addressed the Honorable Senate.

On motion of Senator Bailey, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

---

FRIDAY, FEBRUARY 22, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., February 22, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, FEBRUARY 25, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., February 25, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

TUESDAY, FEBRUARY 26, 1935.

The Senate met according to adjournment.

(Senator Alexander in Chair)

Senator Alexander read the following telegram from President Dale:

Please preside for me until my return.

On motion of Senator Calef, the following resolution was adopted:

*Resolved*, That the rules be suspended and that the action of President Dale in naming Senator Alexander to perform the duties of the chair and act as President of the Senate until his return, is hereby ratified and confirmed.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 251, An act relative to payment of wages.

House Bill No. 299, An act relating to the town of Richmond.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public laws.

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

#### READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 299, An act relating to the town of Richmond.

To the Committee on Labor,

House Bill No. 251, An act relative to payment of wages.

To the Committee on Revision of Laws,

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public laws.

To the Committee on Finance,

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

### COMMITTEE REPORTS

Senator Harrington for the Committee on Banks, to whom was referred:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.  
having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing bills ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 96, An act relating to liquor laws, having considered the same, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relative to booths in establishments where beverages are sold.

The report was accepted and the amendment adopted, and the bill sent to the House of Representatives for concurrence.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county, having

considered the same, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines of said section and inserting in place thereof the following:

1. *Rockingham County Probate Office.* Amend section 21 of chapter 294 of the Public Laws, as amended by chapters 89 and 141 of the Laws of 1929, by striking out the word "two" in the fourth line and inserting in place thereof the word eight so that said section as amended shall read as follows:

Further amend said section 1 by adding at the end thereof the following: In Coos county, one hundred and fifty dollars.

The report was accepted and the amendment adopted, and the bill sent to the House of Representatives for concurrence.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 316, An act relative to the issue of notes by the county of Merrimack, having considered the same, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the sentence in the sixth and seventh lines "Said short-time notes issued hereunder may be refunded at and for such times as the county commissioners may determine" and inserting in place thereof the following:

Said short-time notes issued hereunder may be refunded by other short-time notes during said biennium at and for such times as the county commissioners may determine.

The report was accepted and the amendment adopted, and the bill sent to the House of Representatives for concurrence.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 234, An act to be known as the municipal budget act.



Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

House Bill No. 49, An act relative to the discharge of sewage.

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little Bay.

House Bill No. 313, An act relating to the sewer system of the town of Claremont.

House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy.

On motion of Senator Calef, the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 46, An act to incorporate the Clark School Foundation, having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 2 of said bill by adding at the end of line four the word, and; by striking out the words "a charitable foundation" in the fifth line and inserting in place thereof the words, an educational institution; and by striking out the word "and" in the sixth line, so that said section as amended shall read as follows:

2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take and acquire and hold real and personal estate by lease, purchase, donation, bequest, or otherwise and said corporation being in the nature of an educa-

tional institution shall be taxable according to the statutes of the State of New Hampshire.

The report was accepted, amendment adopted and the foregoing entitled bill ordered to a third reading this afternoon at two o'clock.

#### BILL RECALLED FROM HOUSE OF REPRESENTATIVES

On motion of Senator Manson, the following resolution was adopted:

*Resolved*, That the House of Representatives be requested to return to the Senate for further consideration Senate Bill No. 24, An act relating to safety glass.

#### BILL RETURNED FROM HOUSE OF REPRESENTATIVES

Pursuant to the foregoing resolution, the House returned to the Senate for further consideration the following entitled bill:

Senate Bill No. 24, An act relating to safety glass.

On motion of Senator Manson, the rules were so far suspended as to allow the reconsideration of the vote on the foregoing bill.

On motion of the same Senator, the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the bill was recommitted to the Committee on Transportation.

#### INTRODUCTION OF BILL

Senator Calef under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance:

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

On motion of Senator Manson, the Senate adjourned.

## AFTERNOON

## THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 46, An act to incorporate the Clark School Foundation.

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

House Bill No. 291, An act authorizing the town of Bosca-wen to issue refunding notes or bonds.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

## READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on the Judiciary:

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

On motion of Senator Wiley, the rules were suspended, reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

On motion of Senator Harrington, the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

## COMMITTEE REPORT

Senator Sanborn for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal cooperation in the stabilizing of the Merrimack river, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at nine o'clock.

On motion of Senator Harrington, the rules were suspended and the bill put upon its third reading and final passage at the present time.

## INTRODUCTION OF BILLS

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 32, An act relating to beverage wholesalers carrying beverages on trucks.

Senator Sanborn under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance:

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

Senator Martel under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 33, An act relating to club licenses.

On motion of Senator Roberts, the Senate adjourned.

WEDNESDAY, FEBRUARY 27, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

The following message was received from the House of Representatives by its Clerk.

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in States ratifying the same, and providing for a commission to further its policies.

House Bill No. 42 (In New Draft), An act in amendment of the charter of the city of Concord.

House Bill No. 177, An act regarding one day of rest in seven.

House Bill No. 309, An act relative to bridges on State aided highways.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 96, An act relating to liquor laws.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following joint resolution sent down from the Honorable Senate:



Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal cooperation in the stabilizing of the Merrimack river.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 46, An act to incorporate the Clark School Foundation.

The message stated that the House of Representatives has passed the following concurrent resolution, in the passage of which it asks the concurrence of the Honorable Senate.

#### CONCURRENT RESOLUTION

*Resolved*, That it is the sense of the General Court of New Hampshire that the State Planning and Development Commission cooperate with the authorities of the Commonwealth of Massachusetts in studying such Merrimack Valley public works projects as may be made possible by grants from the Federal government of 100 per cent for construction as may be deemed advisable for the purposes of stream regulation and flood control, improvement of sanitation, elimination of soil erosion, and such other improvements as may contribute to the general welfare of the people of New Hampshire.

On motion of Senator Doe, the Senate concurred in the foregoing resolution.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 42 (In New Draft), An act in amendment of the charter of the city of Concord.

To the Committee on Labor,

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in States ratifying the same, and providing for a commission to further its policies.

House Bill No. 177, An act regarding one day of rest in seven.

To the Joint Committee on Public Improvements and Finance,

House Bill No. 309, An act relative to bridges on State aided highways.

To the Committee on Finance,

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

### COMMITTEE REPORTS

Senator Manson for the Committee on Revision of Laws, to whom was referred Senate Bill No. 4, An act providing for mortgages on personal property to secure loans from government agencies and others, Having considered the same, reported the same with new title and in new draft and recommended its passage.

The report was accepted, and the recommendations adopted.

On motion of Senator Doe, the bill in its new draft was laid upon the table to be printed and made a special order for Thursday morning, at 11:01 a. m.

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 69, An act relating to trespasses and malicious injuries, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 28, An act relative to keeping liquor for sale, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 213, An act relating to the sale of certain alcoholic beverages, Having considered the

same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "one year" in the third line of said section and inserting in place thereof the words six months.

Further amend said section by striking out the words "one year during the calendar year" in the sixteenth and seventeenth lines of said section and inserting in place thereof the words six months.

Further amend said section by adding at the end thereof the following: Provided however, this will not change the present law pertaining to restaurants and clubs doing a summer business only.

So that said section as amended shall read:

1. Amend section 8, chapter 99 of the Laws of 1933 by striking out in line 14 the words "two months" and inserting in place thereof the words six months, so that said section as amended shall read as follows:

8. *On-Sale Permits.* On-sale permits shall be issued only for restaurants or hotels or for clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of restaurants, at public tables upon the premises designated in the permit, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the commissioners; or in the case of hotels or clubs, at tables or in rooms of guests or members. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months prior to the application for such permit; provided it shall be within the discretion of the commissioners to issue to a permittee under this act a special permit to sell beverages. Provided however, this will not change the present law pertaining to restaurants and clubs doing a summer business only.

The report was accepted, amendments adopted and the

bill ordered to a third reading this afternoon at two o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 144, An act regarding the weekly payment of wages, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 87, An act to dissolve Upper Coos railroad.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 289, An act providing for State aid on Class II or Class V highways.

On motion of Senator Manson, the following resolution was adopted:

*Resolved*, That the Clerk be instructed to have Senate Bill No. 24, An act relating to safety glass on motor vehicles, in new draft, printed.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects, be taken from the table and recommitted to the Committee on the Judiciary for the purpose of submitting a new draft.

#### INTRODUCTION OF BILL

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 34, An act relating to power boats and out-board motors.

On motion of Senator Kelley, the Senate adjourned.

### AFTERNOON

Senator Calef in Chair.

### THIRD READINGS

The following entitled bills were read a third time and passed.

Senate Bill No. 28, An act relative to keeping liquor for sale.

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

### RESOLUTION

On motion of Senator Knowlton, the following resolution was adopted:

WHEREAS, The Senate has learned with great pleasure of the convalescence of its President, the Honorable Charles M. Dale, therefore,

*Be it resolved*, That this body hereby extend its sincere sympathy and heartfelt congratulations and express the hope that he will soon regain his usual good health and again be with us in his characteristic hopeful and cheerful spirit,

*Be it further resolved*, That a copy of this resolution be sent to the Honorable Charles M. Dale and that a copy be spread upon the records of the Senate of New Hampshire,

*Be it further resolved*, That when the Senate adjourn today it adjourn in sympathy with the Honorable Charles M. Dale.

On motion of Senator Kelley, the Senate adjourned.



THURSDAY, FEBRUARY 28, 1935.

The Senate met according to adjournment.  
Senator Doe in Chair.

## LEAVE OF ABSENCE

Senators Roberts, Burbank, Harrington, Martel, Calef and Cole were granted leave of absence for the day on account of important business.

The following message was received from the House of Representatives by its Clerk:

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 4 (In new draft), An act to control the distribution and sale of milk.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 196, An act relating to the administration of anesthetics.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 312, An act legalizing the November election in the town of Carroll.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

House Bill No. 296, An act relative to a State board of welfare and relief.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Public Health,

House Bill No. 196, An act relating to the administration of anesthetics.

To the Committee on Agriculture,

House Bill No. 4 (In new draft), An act to control the distribution and sale of milk.

To the Committee on Judiciary,

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 312, An act legalizing the November election in the town of Carroll.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

House Bill No. 296, An act relative to a State board of welfare and relief.

On motion of Senator Manson, the order whereby House Bill No. 296, An act relative to a State board of welfare and relief, was referred to the Committee on Judiciary was vacated and the bill was referred to a Committee of the Whole for a public hearing to be held Tuesday, March 5th at 10:00 o'clock in the Senate Chamber.

On motion of Senator Sanborn, the following resolution was adopted:

*Resolved*, That the Clerk be instructed to have House Bill No. 296, An act relative to a State board of welfare and relief, as amended printed, and that five copies be mailed to the Senators at their homes as soon as possible.

### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred:

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott,

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons,  
Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at 2 o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 118, Joint resolution in

favor of Guy S. Neal and others, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the resolution by striking out in line 15, the word, "four," and inserting in place thereof the word, "twelve," so that the resolution as amended shall read as follows:

That Guy S. Neal, sergeant-at-arms of the House be allowed the sum of thirty-six dollars; that Wallace S. Thompson be allowed the sum of thirty-two dollars; that Fred W. Friend be allowed the sum of thirty-two dollars; that Harold Fournier be allowed the sum of eighty-four dollars; that Reginald Cargill be allowed the sum of fifty dollars; that Roland F. Smith be allowed the sum of fifty dollars; that Theodore R. Brown be allowed the sum of twenty-four dollars; that Robert W. Focht be allowed the sum of twenty-four dollars; that P. E. Gilman be allowed the sum of sixteen dollars; that Fred Rousseau be allowed the sum of sixteen dollars; that Melvin Brungot be allowed the sum of twenty dollars; that Raymond B. Lakeman be allowed the sum of twenty-six dollars; that Charles C. Crowley be allowed the sum of twenty dollars; that Benjamin H. Bragg be allowed the sum of eight dollars; that William W. Allen be allowed the sum of eight dollars; that Martin C. Ryan be allowed the sum of twelve dollars; that Alice V. Flanders be allowed the sum of eight dollars; that Helen M. Young be allowed the sum of sixty-six dollars, in full for their services at the organization of the present Senate and House, and that the Governor be authorized to draw his warrant for the same on the Treasury.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at 2 o'clock.

Senator Manson for the Committee on Insurance, to whom was referred House Bill No. 162, An act relating to foreign insurance companies and their agents, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Barrett for the Committee on Fisheries and Game, to whom was referred:

House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond,

Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont,

Senate Bill No. 12, An act relative to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years,

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster,

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at 2 o'clock.

Senator Barrett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 23, An act relating to the taking of salt water smelt, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted.

On motion of Senator Brown, the bill was laid upon the table.

Senator Butler for the Committee on Judiciary, to whom was referred:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals,

House Bill No. 299, An act relating to the town of Richmond,

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at 2 o'clock.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 96, An act relative to booths in establishments where beverages are sold.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

## COMMITTEE REPORT

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced a committee report not previously advertised in the Journal.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 9, An act relative to fees for certificates of approval from the State liquor commission and manufacturer's permits, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend Section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Non-resident Manufacturer and Wholesaler.* Amend Section 27 of Chapter 99 of the Laws of 1933, as inserted by Section 2, Chapter 173 of the Laws of 1933, by striking out said section and inserting in place thereof the following: 27. *Certificates of Approval, Fees, Requirements.* The annual fee for a certificate of approval issued by the state liquor commission pursuant to the provisions of Section 26 shall be five hundred dollars. Said required fee shall accompany the application for such certificate of approval. When first making application for such certificate of approval such applicant shall file with the commission a bond in the sum of three thousand dollars with a surety or sureties satisfactory to the commission, to guarantee the redemption of empty beverage containers returned to him at the price collected for the same in the sale of beverages and at the same time shall in writing appoint the chairman of said commission and his successor in



office to be his true and lawful attorney upon whom lawful process in any action or proceeding against him upon any liability arising in this State because of the provisions of this section may be served, and in such writing shall agree that any lawful process against him upon such liability which is served on said attorney shall be of the same legal force and validity as if served on him and that the authority shall continue in force so long as any of such liability remains outstanding against him in this State. Such a bond shall be kept on file during the term of any such certificate of approval.

The report was accepted.

On motion of Senator Manson, the bill with the question on the adoption of the amendment pending was laid upon the table.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds, Having considered the same under rule 6 reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out Section 1 and inserting in place thereof the following:

1. *Authorization.* The town of Barnstead is hereby authorized to issue its serial notes or bonds to an amount not exceeding twenty thousand dollars (\$20,000) for the purpose of refunding outstanding indebtedness of a like amount. Said serial notes or bonds shall be signed by the selectmen and countersigned by the treasurer.

The report was accepted, the amendment adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

#### SPECIAL ORDER

Senator Alexander called for the special order, it being Senate Bill No. 4 (In new title and in new draft), An act relating to personal property mortgages and other instruments.

The question being stated, Shall the bill be read a third time?

On a *viva voce* vote the affirmative prevailed and the bill was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Carter, the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond.

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Bill No. 299, An act relating to the town of Richmond.

Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont.

Senate Bill No. 12, An act relative to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years.

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

On motion of Senator Knowlton, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it be to meet tomorrow morning at 9 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

PERSONAL PRIVILEGE

Senator Marston, of District No. 14, rose to a question of personal privilege and congratulated the temporary presiding officer on his ability to be heard.

On motion of Senator Butler, the Senate adjourned.

---

FRIDAY, MARCH 1, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., March 1, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MARCH 4, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., March 4, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MARCH 5, 1935.

The Senate met according to adjournment.  
Senator Alexander in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 149, An act having reference to personal property in unorganized places.

House Bill No. 116, An act to provide for city, town, village district and regional planning boards.

The message further stated that the House of Representatives refused to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 8, An act providing for the appointment of highway agents.

The message further stated that the House of Representatives refused to concur with the Honorable Senate in the passage of the following entitled bill with amendments sent down from the Honorable Senate and asks for a Committee of Conference.

House Bill No. 213, An act relating to alcoholic beverages.

The Speaker appointed as members of such committee on part of the House Messrs. Molloy of Nashua, Coakley of Concord and Chandler of Gorham.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives.

Pursuant to the above request, the acting President ap-

pointed as members of the Committee of Conference on the part of the Senate, Senators Condon and Butler.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 116, An act to provide for city, town, village district and regional planning boards.

To the Committee on the Revision of Laws,

House Bill No. 149, An act having reference to personal property in unorganized places.

Senator Calef served notice that today or on some subsequent date he would recall from the Governor House Bill No. 162, An act relating to foreign insurance companies and their ratings.

#### COMMITTEE REPORT

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 69, An act relating to trespasses and malicious injuries, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words, "permission of the owner" in the fourth and fifth lines and inserting in place thereof the word, right.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 12, An act for the greater detection of crime and apprehension of criminals, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.



Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Report Required.* Any person, surgeon or physician, or any hospital, sanatorium, dispensary, or other institution doing business in this state who treats or serves any person for a gun shot wound, or who treats or serves any person for any other injury believed to have been caused by felonious act, shall immediately notify the county solicitor, furnishing the solicitor with the name of the patient and such other information as may be known concerning the injury and its history.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced a committee report not previously advertised in the journal.

Senator Carter for the Committee of the Whole to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, Having considered the same reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 5 by inserting in line 1 after the word "shall" the words, with the approval of the Governor and Council; so that said section as amended shall read as follows:

5. *Division of Welfare.* Said board shall, with the approval of the Governor and Council, appoint a state director of the division of welfare, who, under its direction, shall give his entire time to the duties of such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other duties as may rightfully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the Governor and Council, and may remove him for cause.

Amend section 6 by adding at the end of said section the

following: except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council; so that said section as amended shall read as follows:

6. *Assistants.* Said board shall employ and fix the compensation of inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board, except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council.

Amend section 7 by inserting in line 1 after the word "shall" the words, with the approval of the Governor and Council; so that said section as amended shall read as follows:

7. *Director of Relief.* Said board shall, with the approval of the Governor and Council, appoint a state director of the division of relief, fix his compensation and may remove him for cause.

Amend section 8 by striking out in line 5 after the word "of" the words "unemployment relief and".

Further amend said section by striking out in lines 13 and 16, after the words "to" the words "unemployment relief and".

Further amend said section by adding after the word "orders" in line 18, the words, with the approval of the commission.

Further amend said section by striking out after the word "of" in line 19, the words "unemployment relief and".

Further amend said section by striking out after the word "to" in line 24 the words "unemployment relief and".

So that said section as amended shall read as follows:

8. *Duties of Director of Relief.* It shall be the duty of said director and he shall have power and authority under the supervision of said board:

I. To have and exercise general supervision over the administration of poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report such information monthly and annually, relative to poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders with the approval of the commission for the administration of poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the moneys granted by the State to counties, cities and towns under this act, and to comply with the rules and regulations of the federal government or any of its agencies relative to poor relief.

Amend section 9 by striking out in lines 2 and 3, after the word "upon" the words "order of the state director of relief approved by" and inserting in place thereof the words, "audit and approval of"

Further amend said section by adding after the word "relief" the words, exclusive of the expenses of administration.

Further amend said section by inserting in line 13 after the word "relief" the words, exclusive of expenses for administration.

So that said section as amended shall read as follows:

9. *Grants to Towns, Cities and Counties.* The Governor and Council, upon audit and approval of the comptroller, are hereby authorized and directed to make grants and reimbursements out of the State funds in the emergency relief fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief exclusive of expenses for administration, to the extent of fifty percent of the amount expended by said counties, cities and towns. If during any period while this act is in effect, federal funds are made available to the state for direct poor relief all such

available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief exclusive of expenses for administration, in accordance with any regulations or conditions imposed by the federal authorities, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the State and by the counties, cities and towns. Provided however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 14 hereof; and provided further that the board shall have the right to reduce the percentage to be contributed by the State to the counties, cities and towns at any time during the duration of this act, when it shall appear that the funds provided in section 14 hereof will not be sufficient to make grants or reimbursements to the extent of fifty percent of the amount expended by said counties, cities and towns.

Amend Section 11 by striking out in line three the following words, "or by any person under his authority," so that said section as amended shall read as follows:

11. *Non-compliance with Orders.* If any county, city or town, or any officer thereof, shall fail substantially to comply with any order, rule or regulation issued by the director of relief, in accordance with the provisions of this act, grants or reimbursements shall not thereafter be made to such county, city or town, until such order, rule or regulation has been complied with. Grants or reimbursements shall not be made to any county, city or town until its indebtedness to the state incurred by any of the provisions of Chapter 160 of the laws of 1933 have been fully discharged, or provided for to the satisfaction of the governor and council.

Amend section 13a by striking out in line three the following words, "or by any person under his authority," so that said section as amended shall read as follows:

13a. *Appeal.* In case of any disagreement as to poor relief or the administration thereof between any county commissioner, selectman, or said city official and the State director of relief an appeal may be taken by either party to



the State board of welfare and relief for a determination of the question. The decision of said board shall be final.

Amend Section 14 by striking out after the word, "any," in line 14 the words, "unexpected balance of the previous period," and inserting in place thereof the following, "unused appropriation liability," so that said Section as amended shall read as follows:

14. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act relative to the state's contributions for poor relief, the State treasurer is hereby authorized, in the discretion of the governor and council, to borrow in such amounts as may be determined by the governor and council upon the credit of the State one million eight hundred thousand dollars (\$1,800,000) for the period beginning with the passage of this act and ending June 30, 1936 and one million two hundred thousand dollars (\$1,200,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1937 and for that purpose may issue notes in the name of and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such time as the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the State. The secretary of state shall keep an account of all such notes countersigned by the governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The State treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in such manner as they may determine most advantageous to the State. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total



amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refunding.

Amend Section 15 by striking out after the word, governor, in the sixth line "for the purposes of this act alone" and inserting in place thereof, "with the advice and consent of the council," so that said section as amended shall read as follows:

15. *Emergency Relief Fund.* The money received from the sale of notes authorized by Section 14 hereof shall be deposited with the State treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the State treasurer and applied to the payment of the notes issued hereunder.

Amend Section 21 by adding two new sections to be numbered 21a, 21b as follows:

21a. *Equipment and Supplies.* All equipment and supplies purchased under the provisions of Chapter 160 of the Session Laws of 1933 shall be turned over to the State Board of Welfare and Relief.

21b. *Records and Essential Data.* All records and essential data pertaining to cases of relief compiled under the provisions of Chapter 160 of the Session Laws of 1933 shall be turned over to the State Board of Welfare and Relief for the use of the counties, towns and cities under such regulations as the board may determine.

The report was accepted, amendments adopted and the bill referred to the Committee on Finance under the rules.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and joint resolutions:

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Condon, the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 144, An act regarding the weekly payment of wages.

#### BILL RETURNED FROM GOVERNOR

Pursuant to the foregoing resolution, His Excellency, the Governor, returned to the Senate for further consideration the following entitled bill:

House Bill No. 144, An act regarding the weekly payment of wages.

On motion of Senator Condon, the rules were suspended as to allow the reconsideration of the vote on House Bill No. 144, An act regarding the weekly payment of wages.

On motion of the same Senator the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of the same Senator, the bill was recommitted to the Committee on Labor.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Calef, the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 162, An act relating to foreign insurance companies and their agents.

## BILL RETURNED FROM GOVERNOR

Pursuant to the foregoing resolution, His Excellency, the Governor, returned to the Senate for further consideration the following entitled bill:

House Bill No. 162, An act relating to foreign insurance companies and their agents.

On motion of Senator Calef, the rules were so far suspended as to allow the reconsideration of the vote on House Bill No. 162, An act relating to foreign insurance companies and their agents.

On motion of the same Senator the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of the same Senator the bill was recommitted to the Committee on Insurance.

On motion of Senator Doe, the Senate adjourned.

## AFTERNOON

The Senate reassembled.

On motion of Senator Doe, the Senate adjourned until tomorrow morning at 10 o'clock.

---

WEDNESDAY, MARCH 6, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

## COMMITTEE REPORT

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the bill by adding after Section 15 the following new section: 15a. *Working Capital*. The Governor is hereby authorized to draw his warrant for any money in the treasury in the emergency relief fund for such sums to be set

apart to the credit of the State treasurer as working capital as may appear to the Governor and Council necessary and proper for the prompt payment of bills contracted under the provisions of this act.

21c. *Overseers of the Poor.* For the duration of this act the selectmen of towns or mayors and aldermen in cities shall appoint one or more overseers of the poor to hold office during their pleasure, they shall fix his or their compensation and make a written contract with him or them in relation to said compensation. After said overseers of the poor have been appointed and have qualified the terms of office of the present overseers of the poor whether elected or appointed shall expire. The provisions of this section shall not apply in towns which have voted to assume all liability for their poor in accordance with the provisions of Section 10, and shall not apply in the case of towns where the board of selectmen act as overseers of the poor.

The report was accepted.

The question being stated, Shall the amendments offered by the Committee of the Whole be adopted.

On a *viva voce* vote the amendments were adopted.

The question being stated, Shall the amendments offered by the Committee on Finance be adopted.

On a *viva voce* vote the amendments were adopted, and the bill as amended ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Doe, the rules were suspended and the foregoing entitled bill was read a third time and passed.

#### RECESS

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered

by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

The message further stated that the House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 252, An act relating to service of process upon dealers in securities.

#### READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Revision of Laws:

House Bill No. 252, An act relating to service of process upon dealers in securities.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 46, An act to incorporate the Clark School Foundation.

House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond.

House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

Senate Joint Resolution No. 4, Joint resolution for the procurement of federal co-operation in the stabilizing of the Merrimack river.

House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro.



House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Calef under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 99, Joint resolution making an appropriation for state advertising, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

#### RECESS

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds.

The message further stated that the House of Representatives refused to concur with the Honorable Senate in its amendments to the following bill and asked for a Committee of Conference.

House Bill No. 296, An act relative to a State board of welfare and relief.

The Speaker appointed as members on part of the House Messrs. Keefe of Dover, Wilson of Manchester, Osborne of Sunapee, Perley of Lebanon, and Sanderson of Pittsfield.

On motion of Senator Manson, the Senate voted to accede to the request of the House of Representatives.

On motion of the same Senator, the following resolution was adopted.

*Resolved*, That the rules of the Senate be so far suspended as to permit the President to appoint three members on the part of the Senate to meet the members appointed by the Speaker of the House in Committee on Conference to discuss House Bill No. 296, An act relative to State board of welfare and relief.

Pursuant to the above request, the acting President appointed as members of the Committee of Conference on the part of the Senate, Senators Cole, Marston and Manson.

#### READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Judiciary:

House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds.

On motion of Senator Wiley, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

#### TAKEN FROM THE TABLE

On motion of Senator Manson Senate Bill No. 9, An act relative to fees for certificates of approval from the State liquor commission and manufacturer's permits, was taken from the table.

The question being stated, Shall the amendments offered by the Committee be adopted.

On a *viva voce* vote the amendments were adopted.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Non-resident Manufacturer and Wholesaler.* Amend Section 27 of Chapter 99 of the Laws of 1933, as inserted by Section 2, Chapter 173 of the Laws of 1933, by striking out said section and inserting in place thereof the following:

27. *Certificates of Approval, Fees, Requirements.* The annual fee for a certificate of approval issued by the State liquor commission pursuant to the provisions of Section 26 shall be five hundred dollars. Said required fee shall accompany the application for such certificate of approval. When first making application for such certificate of approval such applicant shall file with the commission a bond in the sum of three thousand dollars with a surety or sureties satisfactory to the commission, to guarantee the redemption of empty beverage containers returned to him at the price collected for the same in the sale of beverages and at the same time shall in writing appoint the chairman of said commission and his successor in office to be his true and lawful attorney upon whom lawful process in any action or proceeding against him upon any liability arising in this State because of the provisions of this section may be served, and in such writing shall agree that any lawful process against him upon such liability which is served on said attorney shall be of the same legal force and validity as if served on him and that the authority shall continue in force so long as any of such liability remains outstanding against him in this State. Such a bond shall be kept on file during the term of any such certificate of approval.

Senator Manson offered the following amendment: Amend Section 2 by striking out in line 19 the words, one thousand five hundred dollars, and substituting in place thereof the words, five hundred dollars.

(Discussion ensued)

On a *viva voce* vote the negative prevailed.

Senator Manson demanded a division.

Six Senators having voted in the affirmative and fifteen in the negative, the negative prevailed and the amendment was not adopted.

The bill was ordered to a third reading at 2 o'clock this afternoon.

On motion of Senator Condon, the rules were suspended and the foregoing entitled bill was read a third time and passed.

## INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Butler, the rules were suspended to introduce three committee reports not previously advertised in the Journal.

Senator Butler for the Committee on Judiciary, to whom was referred House Bill No. 65, An act relating to the superior court, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out Section 1 and inserting in place thereof the following:

1. *Number of Justices Increased.* Amend Section 1 of Chapter 316 of the Public Laws, as amended by Chapter 51 of the Laws of 1927, by striking out the word "five" and inserting in place thereof the word seven, so that said section as amended shall read as follows: 1. *Justices.* The superior court shall consist of a chief justice and seven associate justices, appointed and commissioned as prescribed by the constitution.

Further amend said bill by striking out Section 2 and inserting in place thereof the following:

2. *Appropriation.* There is hereby appropriated a sum not exceeding five thousand two hundred and fifty dollars for the salaries of the said justices for the balance of the fiscal year ending June 30, 1935; and there is hereby appropriated a sum not exceeding one thousand three hundred and fifty dollars for the expenses of said justices for the balance of the fiscal year ending June 30, 1935. The Governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

The report was accepted, amendments adopted and the bill referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Judiciary, to whom was referred House Bill No. 214, An act amending the charter of the city of Nashua, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Board of Aldermen, Organization Meeting.* Amend Section 41, of Part I of Chapter 427 of the Laws of 1913, being the charter of the city of Nashua, as adopted by vote of the inhabitants of said city, by striking out the words "ten o'clock in the forenoon on the first secular day" in the first and second lines and inserting in place thereof the words, eight o'clock in the evening on the second Tuesday, and by striking out the words, "board of inspectors of checklist" in the ninth and tenth lines, so that said section as amended shall read as follows: 41. The board of aldermen so chosen shall meet at eight o'clock in the evening on the second Tuesday of January next following their election, in their capacity as the board of aldermen, for the purpose of taking their respective oaths of office, organizing, adopting rules for the transaction of business by such board, electing such officers as are by law or ordinance required to be elected and transacting any other business required by law or ordinance to be transacted at such meeting. The mayor, members of the board of education, board of assessors, board of public works, board of fire commissioners, and all other officers who are required to take an oath of office shall meet in convention with the board of aldermen at said time and take their respective oaths of office.

2. *City Officers, Term of Office.* Amend Section 42 of Part I of said Chapter 427 by striking out said section and inserting in place thereof the following: 42. The board of aldermen shall elect by viva voce and major vote on roll call a city clerk and overseer of the poor who shall be one and the same person, city treasurer and collector of taxes, who shall be one and the same person, city physician, city solicitor, and board of health, said officers to hold office for a term of two years, each. In all other cases offices shall be filled by appointment of the mayor, subject to confirmation by said board, except the city messenger, who shall be chosen and appointed by the mayor, unless otherwise provided for in this charter. All vacancies occurring in such offices shall be



filled in the same manner. Unless otherwise provided for herein the board of aldermen may by ordinance prescribe the time for choosing or appointing all officers to be chosen by it, or by the mayor, and fix their compensation and terms of office, but not exceeding two years. In all cases where salaries or wages for services are paid from the municipal treasury, the compensation shall be determined by the board of aldermen upon recommendation of the several departments, excepting those employed in connection with the schools.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects, Having considered the same, reported the same in new draft and recommended its passage.

The report was accepted and the recommendations adopted, and the bill ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Cole, the bill was laid upon the table to be printed and recommitted to the Committee on Judiciary.

#### RECESS

The Senate reassembled.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Calef under a suspension of the rules introduced a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 65, An act relating to the superior court, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

#### INTRODUCTION OF JOINT RESOLUTION

On motion of Senator Condon, the rules were suspended, sixteen Senators having actually voted in the affirmative, the

following entitled joint resolution was introduced, read a first and second time, laid on the table to be printed and referred to the Committee on Claims.

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon.

On motion of Senator Manson, the Senate adjourned.

## AFTERNOON

### THIRD READINGS

The following entitled bills sent up from the House of Representatives were read a third time and passed.

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

House Bill No. 65, An act relating to the superior court.

House Bill No. 214, An act amending the charter of the city of Nashua.

On motion of Senator Sanborn, the Senate adjourned.

---

## THURSDAY, MARCH 7, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 6 (In new draft), An act relating to horse racing and creating a State racing commission.

House Bill No. 256, An act relative to brands for bottles and other containers.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following bills:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 69, An act relating to trespasses and malicious injuries.

#### READ AND REFERRED

The following bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 6 (In new draft), An act relating to horse racing and creating a State racing commission.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

To the Committee on Liquor Laws,

House Bill No. 256, An act relative to brands for bottles and other containers.

To the Committee on Agriculture,

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

#### COMMITTEE REPORTS

Senator Barrett for the Committee on Public Health, to whom was referred Senate Bill No. 14, An act relating to mortuary regulations, Having considered the same, reported the same in new draft and recommended its passage.

The report was accepted, the bill laid upon the table to be printed and recommitted to the Committee on Public Health.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 177, An act regarding one day of rest in seven, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Carter for the Committee on Labor, to whom was

referred House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies, Having considered the same, reported the same without amendment and recommended its passage.

The report of the committee was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Revision of Laws, to whom was referred House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the word "seven" in the third line and inserting in place thereof the word five; so that said joint resolution as amended shall read as follows:

That the Governor, with advice and consent of the Council, is hereby authorized and directed to appoint five persons to constitute a committee to study the problem of the revision of the public utility laws of this State, and other laws affecting the powers and jurisdiction of the Public Service Commission. Said committee shall report its findings and recommendations as to the expediency of making changes in said laws to the next regular session of the legislature, provided, however, that any recommendations of this committee may be submitted to this session of the legislature. The members of said committee shall serve without compensation but shall be allowed their actual expenses while engaged in the work of said committee to be approved by the Governor and Council. For the purposes of carrying into effect the provisions hereof the sum of not exceeding fifteen hundred dollars (\$1,500) is hereby appropriated and the Governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted and the joint resolution as amended was referred to the Committee on Finance.

Senator Doe for the Committee on Revision of Laws, to whom was referred House Bill No. 287, An act relating to the Superior Court, Having considered the same, reported the same in Senate new draft and new title, and recommended its passage.

The report was accepted, and the bill laid upon the table to be printed and recommitted to the Committee on Revision of Laws.

Senator Sanborn for the Committee on Agriculture, to whom was referred House Bill No. 4, An act to control the distribution and sale of milk, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

On motion of Senator Carter, the following resolution was adopted:

#### RESOLUTIONS

WHEREAS, Senate Bill No. 15 as reported by the Committee on Judiciary in new draft, designed to stimulate economic recovery by encouraging new building projects by granting tax exemption for a limited period is before the Senate for consideration, and

WHEREAS, doubt exists as to the constitutionality of the action proposed in said bill, and

WHEREAS, it is important that its validity should be determined in advance of its enactment for the protection of the interests of the State and the people; now therefore

*Be it resolved*, That the President pro tem of the Senate be and hereby is authorized and directed to obtain from the Honorable Justices of the Supreme Court their opinion upon the following question:

(1) Do the provisions of Senate Bill No. 15 as reported in new draft, a copy of which is attached hereto, violate any of the provisions of the fundamental law of our State?

Senators Condon and Butler, members of the Committee of Conference on the part of the Senate, to whom was referred House Bill No. 213, An act relating to the sale of certain alco-



holic beverages, having met, recommended that the House of Representatives recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and adopt the following amendment:

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Permits.* Amend section 8 of chapter 99 of the Laws of 1933 by striking out the last sentence of said section and inserting in place thereof the following: No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months, during the calendar year, prior to the application for such permit; provided that it shall be within the discretion of the commission to issue a permit to any restaurant or club doing business only during the summer season when such restaurant or club has been established and doing business for at least two months during the calendar year prior to the application for such permit. It shall be within the discretion of the commission to issue to a permittee under this act a special permit to sell beverages. Applications for permit by restaurants established and doing business before November 1st, 1934, shall be issued pursuant to the law prior to the passage of this act, so that said section as amended shall read as follows: 8. *On-Sale*——. On-sale permits shall be issued only for restaurants or hotels or for clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of restaurants, at public tables upon the premises designated in the permit, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the commissioners; or in the case of hotels or clubs, at tables or in rooms of guests or members. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months, during the calendar year, prior to the application for such permit; provided that it shall be within the discretion of the commission

to issue a permit to any restaurant or club doing business only during the summer season when such restaurant or club has been established and doing business for at least two months during the calendar year prior to the application for such permit. It shall be within the discretion of the commission to issue to a permittee under this act a special permit to sell beverages. Applications for permit by restaurants established and doing business before November 1st, 1934, shall be issued pursuant to the law prior to the passage of this act.

WILLIAM A. MOLLOY,  
CHARLES P. COAKLEY,  
CHARLES A. CHANDLER,

*Conferees on the part of the House.*

JOHN J. CONDON,  
CHARLES F. BUTLER,

*Conferees on the part of the Senate.*

The report of the committee was accepted.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That it is the sense of the Senate that no committee reports shall be received unless previously advertised in the Journal or approved by the Rules Committee.

#### RECESS

The Senate reassembled.

Senators Cole, Marston and Manson, members of the Committee of Conference on the part of the Senate, to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, report the same with the recommendation that the House recede from its position of non-concurrence and adopt the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in its place the following:

1. *Board Constituted*. For the duration of this act there is hereby constituted the state board of welfare and relief. Upon the passage of this act the governor with the advice and consent of the council shall appoint three members of said board, not more than two of whom shall be of the same polit-

ical party, each for a term for the duration of this act. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time *for cause*.

2. *Chairman; Secretary.* The governor and council shall designate one member of said board as chairman and another as secretary.

3. *Compensation.* The members of said board shall be paid eight dollars a day, each, for such time as they are actually engaged in the service of the state and their actual expenses.

4. *Duties Enlarged.* Said board shall set up two divisions, one the division of welfare and the other the division of relief.

5. *Division of Welfare.* Said board shall appoint a state director of the division of welfare, who, under its direction, shall give his entire time to the duties of such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other duties as may rightfully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the Governor and Council, and may remove him *for cause*.

6. *Assistants.* Said board shall employ and fix the compensation of such inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board, except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council.

7. *Director of Relief.* Said board shall appoint a state director of the division of relief, fix his compensation and may remove him *for cause*.

8. *Duties of Director of Relief.* It shall be the duty of said director and he shall have power and authority under the supervision and approval of said board:

I. To have and exercise general supervision over the ad-

ministration of poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report such information monthly and annually, relative to poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders with the approval of the state board for the administration of poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the moneys granted by the state to counties, cities and towns under this act, and to comply with the rules and regulations of the federal government or any of its agencies relative to poor relief.

9. *Grants to Towns, Cities and Counties.* The governor and council, upon order of the director of relief approved by the comptroller, are hereby authorized and directed to make grants and reimbursements out of the state funds in the emergency relief fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief, to the extent of fifty percent of the amount expended by said counties, cities and towns; provided that no reimbursement shall be made on account of salaries, compensation or expenses of any county, city or town official elected or appointed under this act or any existing statute or ordinance. If during any period while this act is in effect, federal funds are made available to the state for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief, in accordance with any regulations or conditions imposed by the federal authorities, in which event the

balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the state and by the counties, cities and towns. Provided however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 15 hereof; and provided further that the board shall have the right to reduce the percentage to be contributed by the state to the counties, cities and towns at any time during the duration of this act, when it shall appear that the funds provided in section 15 hereof will not be sufficient to make grants or reimbursements to the extent of fifty percent of the amount expended by said counties, cities and towns.

10. *Local Option.* If a majority of the qualified voters present and voting at the annual town meeting of a town, or special town meeting called for the purpose, shall vote by ballot to assume all liability for the relief of the poor of said town having a settlement therein, said town shall not be entitled to grants or reimbursements from state or federal money for poor relief, and shall not be subject to any of the provisions of this act relative to poor relief. When a town has so voted the town clerk shall notify the board of welfare and relief of the action taken and such vote shall be in effect until rescinded at a subsequent annual town meeting, or special town meeting called for that purpose.

11. *Non-compliance with Orders.* If any county, city or town, or any officer thereof, shall fail substantially to comply with any order, rule or regulation issued by the director of relief, in accordance with the provisions of this act, grants or reimbursements shall not thereafter be made to such county, city or town, until such order, rule or regulation has been complied with. Grants or reimbursements shall not be made to any county, city or town until its indebtedness to the state incurred by any of the provisions of chapter 160 of the Laws of 1933 have been fully discharged, or provided for to the satisfaction of the governor and council.

12. *Acceptance of Funds.* The governor is hereby authorized, on behalf of the state, to accept all moneys that



may be advanced to or otherwise placed at the disposal of the state by the federal government, or any of its agencies, for the purpose of caring for the poor, the distressed, and the unemployed; and may make such orders, rules and regulations relative to the disbursement of such moneys as may be necessary to comply with any terms, conditions, orders, rules or regulations as may be prescribed by the federal government or any of its agencies, or by the President of the United States.

13. *County, Town and City Assistants.* The board of county commissioners for each county, selectmen of towns or city officials in charge of relief are hereby authorized to employ such qualified agents or assistants as they may deem necessary to administer poor relief in said county, town or city. Such agents or assistants shall hold office during the pleasure of said county commissioners, selectmen or city officials and their salaries shall be fixed by said commissioners, selectmen or city officials.

14. *Appeal.* In case of any disagreement as to poor relief or the administration thereof between any county commissioner, selectman, or said city official and the state director of relief an appeal may be taken by either party to the state board of welfare and relief for a determination of the question. The decision of said board shall be final.

15. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act relative to the state's contributions for poor relief, the state treasurer is hereby authorized, in the discretion of the governor and council, to borrow in such amounts as may be determined by the governor and council upon the credit of the state one million eight hundred thousand dollars (\$1,800,000) for the period beginning with the passage of this act and ending June 30, 1936 and one million two hundred thousand dollars (\$1,200,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1937 and for that purpose may issue notes in the name of, and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such time as

the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes countersigned by the governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in such manner as they may determine most advantageous to the state. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refunding.

16. *Emergency Relief Fund.* The money received from the sale of notes authorized by section 15 hereof shall be deposited with the state treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this act alone; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the state treasurer and applied to the payment of the notes issued hereunder.

17. *Voting Rights Not Affected.* While federal funds are available the receipt of unemployment relief, or of other temporary aid granted under the provisions of this act, shall not make the recipient thereof, or any member of his family, a pauper within the terms of the election laws of this state, nor affect his or their civil or political status in any way.

18. *Audit of Accounts.* No state grants or reimburse-

ments shall be made to counties, cities or towns for poor relief under the provisions hereof until the bills or accounts showing the expenditures for poor relief by said counties, cities or towns have been submitted to or approved by the state comptroller, provided, however, that grants and reimbursements may be made subject to final audit. Said comptroller is hereby authorized to employ with the approval of the governor and council such auditors as may be necessary to inspect and audit said bills and accounts and to make such rules and regulations as may be necessary to carry out the provisions of this section. The expenses incurred by the comptroller under the provisions of this section shall be a charge upon the emergency relief fund hereinbefore provided for.

19. *Taxes.* The selectmen of towns and mayors of cities are hereby authorized and shall, upon instructions from the tax commission, direct the fixing of tax rates and the assessment of taxes, so that only such amounts shall be raised for the relief of the poor of the town or city as will represent, as nearly as may be estimated, the actual amount to be contributed by the town or city for that purpose, taking into consideration the assistance which may be given said city or town by the state or federal agencies. The county conventions shall take into account in making their appropriations for poor relief the amounts which the state and other agencies shall pay.

20. *Present Welfare Board Abolished.* After the members of the board of welfare and relief have been appointed and have qualified the terms of office of the members of the state board of welfare, established by chapter 108, Public Laws, as amended by chapter 177, Laws of 1929, shall expire and the property of the state in the custody of the welfare board shall immediately be transferred to the board hereby constituted. Any balance of appropriation heretofore made for the state board of welfare shall be available for the board hereby constituted for the use of the division of welfare.

21. *Transfer of Powers and Duties.* All powers and duties now conferred by law upon the state board of welfare

shall be transferred to the board of welfare and relief hereby constituted, and all powers and duties now conferred by law upon the secretary of the state board of public welfare shall be transferred to the director of the division of welfare hereby constituted.

22. *Equipment and Supplies.* All equipment and supplies purchased under the provisions of chapter 160 of the Laws of 1933 shall be turned over to the state board of welfare and relief.

23. *Records and Essential Data.* All records and essential data pertaining to cases of relief compiled under the provisions of chapter 160 of the Laws of 1933 shall be turned over to the state board of welfare and relief for the use of the counties, towns and cities under such regulations as the board may determine.

24. *Duration of Act.* The provisions of this act shall terminate June 30, 1937, unless the legislature shall alter or amend this act prior to that date. Upon such termination the board of welfare and relief and the directors of the divisions of said department shall cease to have the powers and duties by this act conferred upon them, and the affairs of the organization for supervision of poor relief hereby set up shall be wound up and liquidated.

25. *Expenses.* All expenses of the board of welfare and relief in the administration of this act relative to the division of relief shall be a charge upon the emergency relief funds.

26. *Working Capital.* The governor is hereby authorized to draw his warrant for any money in the treasury in the emergency relief fund for such sums to be set apart to the credit of the state treasurer as working capital as may appear to the governor and council necessary and proper for the prompt payment of bills contracted under the provisions of this act.

27. *Suspension of Laws.* Sections 1 to 6, inclusive, of chapter 108 of the Public Laws, as amended by chapters 148 and 177, Laws of 1929, and all other acts and parts of acts inconsistent herewith are hereby suspended for the duration of this act.

28. *Constitutionality.* If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

29. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,  
JOHN G. MARSTON,  
HARRY MANSON,  
*Conferees on the part of the Senate.*  
F. CLYDE KEEFE,  
ALLAN M. WILSON,  
LEO L. OSBORNE,  
J. B. PERLEY,  
ROBERT H. SANDERSON,  
*Conferees on the part of the House.*

The report was accepted.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives recedes from its position of non-concurrence in the adoption of the amendments to House Bill No. 296, An act relative to a State board of welfare and relief sent down from the Honorable Senate and have accepted the report of the Committee of Conference.

On motion of Senator Carter, the Senate voted to concur with the House of Representatives on the amendments offered by the Committee of Conference.

The message further stated that the House of Representatives has adopted the amendments offered by the Committee of Conference to House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

The Senate voted to concur with the House of Representatives in the adoption of the amendments offered by the Committee of Conference.



The message further stated that the House of Representatives refuses to concur with the Honorable Senate in the passage of the following entitled bill with amendments, sent down from the Honorable Senate and asks for a Committee of Conference.

House Bill No. 65, An act relating to the superior court.

The Speaker has appointed as members on the part of the House Messrs. Callahan of Keene, Ahern of Concord, Leahy of Claremont, Kearns of Manchester and Mitchell of Camp-ton.

On motion of Senator Manson, the Senate voted to accede to the request of the House of Representatives.

On motion of the same Senator, the following resolution was adopted:

*Resolved*, That the rules of the Senate be so far suspended as to permit the President to appoint three members on the part of the Senate to meet the members appointed by the Speaker of the House in the Committee of Conference to discuss House Bill No. 65, An act relating to superior court.

Pursuant to the above request, the acting President appointed as members of the Committee of Conference on the part of the Senate Senators Cole, Calef, and Bailey.

### COMMITTEE REPORT

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association, Having considered the same under rule No. 6, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Organization Legalized.* The organization and incorporation of the Berlin Building and Loan Association, with principal place of business in Berlin, New Hampshire, on September 11, 1890, in accordance with Chapter 93 of the Laws of 1887, said association having as its object the accumulation of a fund to enable its members to purchase for

themselves homesteads and other real estate and the loaning of money to be used in any lawful investment by the members, is hereby legalized, ratified, and confirmed, and all business and other acts done by the said association since that date in so far as they might otherwise be deemed unauthorized and unlawful, are hereby legalized, ratified and confirmed.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds.

House Bill No. 296, An act relative to a State board of welfare and relief.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Harrington, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock, and when it adjourns Monday evening at 7:30 o'clock it be to meet Wednesday morning at 11:00 o'clock.

On motion of Senator Manson, the Senate adjourned.

FRIDAY, MARCH 8, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., March 8, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MARCH 11, 1935.

The Senate met according to adjournment.

Senator McLeod having assumed the Chair, read the following communication:

Concord, N. H., March 11, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

WEDNESDAY, MARCH 13, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

Senator McLeod was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 133, An act relating to injunctions in labor disputes.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 214, An act amending the charter of the city of Nashua.

## READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on Labor.

House Bill No. 133, An act relating to injunctions in labor disputes.

## COMMITTEE REPORTS

Senator Doe for the Committee on Revision of Laws, to whom was referred House Bill No. 287 (in Senate new draft and new title), An act to regulate the traffic in intoxicating liquor, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted, recommendations adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 99, Joint resolution making an appropriation for state advertising, Having considered the same under rule No. 6, reported the same without amendment and recommended its passage.

Amend said resolution by adding after the word "state" in the fourth line the words, planning and.

The report was accepted, amendment adopted and the bill as amended was sent to the House of Representatives for concurrence in the Senate amendment.

#### BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 299, An act relating to the town of Richmond.

#### INTRODUCTION OF BILLS

Senator Doe, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 35, An act to authorize the city of Somersworth to issue refunding notes or bonds.

On motion of Senator Doe, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

Senator Martel, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 36, An act to establish a two platoon system for the fire department of the city of Manchester.

#### RECESS

The Senate reassembled.

On motion of Senator Calef, the Senate adjourned.

#### AFTERNOON

#### THIRD READINGS

The following entitled bill was read a third time and passed.



House Bill No. 287 (in Senate new draft and new title), an act to regulate the traffic in intoxicating liquor.

On motion of Senator Bouthillier, the Senate adjourned.

---

THURSDAY, MARCH 14, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

Senator McLeod was granted leave of absence for the day on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

Amend section 1 of said bill by striking out the words, "applications for permit by restaurants established and doing business before November 1st, 1934, shall be issued pursuant to the law prior to the passage of this act", where they occur in lines 17 to 20 and in lines 46 to 49.

Further amend said bill by adding after section 1 the following new section:

2. *Application of Act.* The change in the requirement in regard to the time a restaurant shall have been in business before receiving a permit provided for by the above amend-

ment shall not affect permits heretofore issued to restaurants nor to renewals of the same.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Senator Doe, the Senate concurred with the House of Representatives in the adoption of the amendment offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill.

House Bill No. 214, An act amending the charter of the city of Nashua.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin building and loan association.

#### READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred to the Committee on the Judiciary:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

#### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred:

House Bill No. 4 (in new draft), An act to control the distribution and sale of milk.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers,

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bills were ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Joint Committee on Public Improvements and Finance to whom was referred House Bill No. 309, An act relative to bridges on State-aided highways, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the foregoing entitled bill was ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 252, An act relating to service of process upon dealers in securities, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the foregoing entitled bill was ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 149, An act having reference to personal property in unorganized places, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the bill by inserting after the word, resides in line 3 of section 6 the following, if the same has not already been taxed or was not taxed as real estate before severance so that said section as amended shall read as follows:

6. *In Unorganized Place.* Personal property being on April first in any unorganized town or place, may be taxed to the owner in the town or place where he resides if the same has not already been taxed or was not taxed as real estate before severance.

Further amend the bill by adding a new section as follows:

2. This act shall take effect upon its passage.

The report was accepted and on motion of Senator Marston, the amendments were adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 134, An act relating to the

practice of dentistry, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 109, An act relating to the sale of liquor, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 256, An act relative to brands for bottles and other containers, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Marston for the Committee on Banks, to whom was referred Senate Bill No. 30, An act relating to banks, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 4 by striking out the whole of said section and inserting in place thereof the following:

4. *Amendment. Certain Mortgage Bonds of Railroads, etc.* Amend chapter 262 of the Public Laws by adding after section 22, as inserted by chapter 96, Laws of 1931, as amended by section 8, chapter 67, Laws of 1933, the following section: 23. *Temporary Provisions.* Until May 15, 1937, mortgage bonds and senior obligations of railroads, public utilities, or industrial companies, except holding companies, incorporated and operating within the boundaries of the United States shall be legal for investment by savings banks and savings departments of trust companies, upon certification by a Board of Investments and approval by the Bank Commissioner. Said board shall consist of five members appointed by the Governor with the advice and consent of the Council. Members shall serve without pay, but shall be reimbursed for actual expenses incurred in attending meet-

ings or obtaining information upon which to base their decisions. No member shall be engaged in the business of buying or selling securities. No securities shall be certified except those of companies incorporated and doing business prior to January 1, 1920 which are rated A, AA, or AAA or equivalent by not less than two recognized investment services approved by the Bank Commissioner.

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the Commissioner and not otherwise, reinvest the proceeds of sales of steam railroad securities described in paragraph I of section 12 of Chapter 262 of the Public Laws, in mortgage bonds described in said paragraph I of companies having an annual net income of not less than \$2,000,000, provided such railroad companies have earned their fixed charges in each of the next preceding three years and have met all interest and maturing principal payments without default. For the purposes of this temporary provision mortgage bonds are defined to be bonds secured by (a) a first mortgage or a mortgage or trust indenture which is in effect a first mortgage, on property owned or operated by such railroad company, or (b) a refunding mortgage which covers at least seventy-five percent of railroad owned in fee by such railroad company at the date of the mortgage, and provides for the retirement of all outstanding mortgage debts which are a prior lien upon such railroad owned in fee and covered by said refunding mortgage at the date thereof.

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the Commissioner and not otherwise, reinvest the proceeds of sales of bonds of public service companies described in paragraph VIII of section 12, of Chapter 262 of the Public Laws in mortgage bonds issued, assumed or guaranteed as to principal and interest by public service companies, provided such bonds were eligible for such investment on April 9, 1931, and the net income of the company which issued or have assumed or guaranteed the same shall in each of the three years preceding such investment have been not less than one and one-



half times the annual interest on the obligations in question and all other obligations of corresponding or prior lien.

Amend section 6 by striking out the words "by striking out the words 'for the faithful performance of his duties' in the second and third lines, and inserting in place thereof the following words: to save the bank harmless from any losses sustained through his dishonest or criminal acts" in lines six to ten inclusive of said section; by striking out the words "to save the bank harmless from any losses sustained through his dishonest or criminal acts" in lines sixteen to eighteen inclusive of said section and by inserting in place of said words in said sixteenth and eighteenth lines the words, for the faithful performance of his duties, so that said section as amended shall read as follows:

6. *Bond.* Amend section 11 of Chapter 261 of the Public Laws by adding after the word "Treasurer" in the first line the words, and every other executive officer, unless specifically exempted by the Bank Commissioner, and each employee, by adding after the word "bank" in the second line the words in an amount satisfactory to the Bank Commissioner, and by adding after the word "the" in the third line the word, Treasurer's so that said section as amended shall read as follows: 11. *Treasurer.* The treasurer, and every other executive officer, unless specifically exempted by the Bank Commissioner, and each employee of every savings bank shall give a bond to the bank, in an amount satisfactory to the Bank Commissioner with sufficient sureties, for the faithful performance of his duties. The penal sum of the Treasurer's bond shall not be less than twenty-five thousand nor more than one hundred thousand dollars. If the deposits of the bank exceed one hundred thousand dollars five thousand dollars shall be added to the minimum penal sum for each sum of one hundred thousand dollars of deposits or fractional part thereof, until the maximum penal sum is reached.

Amend section 7 by striking out the words "and also by striking out the words 'for the faithful performance of his duties' in the last line of said section, and inserting in place

thereof the following words: to save the trust company harmless from any losses sustained through his dishonest or criminal acts" in lines four to eight inclusive; by striking out the words "to save the trust company harmless from any losses sustained through his dishonest or criminal acts" in the fourteenth and fifteenth lines of said section and by inserting in place of said words in said fourteenth and fifteenth lines the words, for the faithful performance of his duties, so that said section as amended shall read as follows:

7. *Treasurer*. Amend section 29 of chapter 265 of the Public Laws by adding after the word "and" in the second line the words, he and every other executive officer, unless specifically exempted by the Bank Commissioner, and each employee, so that said section as amended shall read as follows: 29. *Treasurer*. The treasurer shall be elected by the board of directors, shall hold office during their pleasure and he and every other executive officer, unless specifically exempted by the Bank Commissioner, and also each employee shall give bond to the satisfaction of said board for the faithful performance of his duties.

The report was accepted, amendments adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

#### OPINION OF THE SUPREME COURT

The following opinion regarding the constitutionality of Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects, was received from the Supreme Court:

Answering the inquiry of the resolution of the Senate requiring the opinions of the justices of the supreme court

upon the constitutionality of Senate Bill No. 15 as reported in new draft, we give our views as follows:

The power of the legislature to classify property into taxable and non-taxable groups includes power to grant reasonable exemptions from taxation. "The reasonable exemption of certain classes of property by express language, or by its omission from the description of the property to be taxed, has not, in the practical construction given to the constitution ever since its adoption, been considered to affect the validity of the tax upon other property." *Thompson v. Kidder*, 74 N. H. 89, 97. "If the distinction made is a reasonable one, in the sense that it may be deemed to be just, it is sufficient." *Opinion of the Justices*, 82 N. H. 561, 573. The resulting inequality or discrimination against unexempted property is not fatal to the constitutionality of the exemption. "Inequality of taxes laid is forbidden, but inequality caused by taxing some property and not taxing other is permitted." *Opinion of the Justices*, 82 N. H. 561, 574.

The purpose of the proposed exemption, being one properly within the legislature's discretion in acting for the welfare of the state, furnishes a just reason therefor.

It is our opinion that the bill if enacted will be a constitutional measure.

JOHN E. ALLEN,  
THOMAS L. MARBLE,  
OLIVER W. BRANCH,  
ELWIN L. PAGE.

#### INTRODUCTION OF BILLS

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid on table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 37, An act relating to compensation for motor vehicle accidents.

Senator Roberts under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Senate Bill No. 38, An act providing for the acceptance of a gift from New Hampshire-Vermont Lumber Company to the State for highway and park purposes and extending the Daniel Webster Highway.

On motion of Senator Manson, the Senate adjourned.

## AFTERNOON

Senator Sanborn in Chair.

### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 109, An act relating to the sale of liquor.

House Bill No. 252, An act relating to service of process upon dealers in securities.

House Bill No. 4 (in new draft), An act to control the distribution and sale of milk.

House Bill No. 149, An act having reference to personal property in unorganized places.

Senate Bill No. 30, An act relating to banks.

House Bill No. 309, An act relative to bridges on State-aided highways.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

House Bill No. 134, An act relating to the practice of dentistry.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws.

### INTRODUCTION OF BILL

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time,

laid upon the table to be printed and referred to the Committee on Judiciary.

Senate Bill No. 39, An act legalizing the proceedings of the March 12th, 1935 election in the city of Laconia.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

On motion of Senator Butler, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock. On motion of Senator Manson, the Senate adjourned.

---

FRIDAY, MARCH 15, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., March 15, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MARCH 18, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:



Concord, N. H., March 18, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,

*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MARCH 19, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 54, An act defining the rights of school board members in supervisory unions.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 302, An act relative to the perambulation of town lines.

House Bill No. 363, An act relating to unemployment in the city of Berlin and in the county of Coos.

House Bill No. 281 (in new draft and new title), An act requiring toilet facilities in restaurants and other public eating places.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill, Senate Bill No. 39, An act legalizing the proceedings of the March 12, 1935 election in the city of Laconia.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill and joint resolution:

House Bill No. 149, An act having reference to personal property in unorganized places.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following House joint resolution:

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

#### READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primaries.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Bill No. 363, An act relating to unemployment in the city of Berlin and the county of Coos.

On motion of Senator Kelley the rules were suspended, reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed at the present time.

To the Committee on Education,

House Bill No. 54, An act defining the rights of school board members in supervisory unions.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

To the Committee on Public Health,

House Bill No. 281 (in new draft and new title), An act requiring toilet facilities in restaurants and other public eating places.

To the Committee on Towns and Counties,

House Bill No. 302, An act relative to perambulation of town lines.

To the Committee on Agriculture,

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

## COMMITTEE REPORTS

Senator Butler, for the Committee on Judiciary, to whom was referred:

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 312, An act legalizing the election in the town of Carroll.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted, recommendations adopted, and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Butler, for the Committee on Judiciary, to whom was referred Senate Bill No. 15, An act to stimulate economic recovery for the encouragement of new building projects, Having considered the same reported the same in Senate new draft and recommended its passage.

The report was accepted.

Senator Marston moved that the bill be laid on the table

and be made a special order for 11:01 Wednesday, March 20th.

(Discussion ensued)

The question being stated.

Shall the bill be laid on the table, and made a special order?

On a *viva voce* vote the Chair was in doubt and requested a division.

Twelve Senators having voted in the affirmative and ten in the negative, the affirmative prevailed, and the motion to lay upon the table to be made a special order was adopted.

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 50, An act relating to nuisances, Having considered the same, reported the same with the following amendment and recommended that the bill ought to pass:

Amend section 2 of said bill by striking out after the word "words", the words, no privy or other device for wastes disposal, and substituting in place thereof the words, no privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, so that said section as amended shall read as follows:

2. Amend section 10 of said Chapter 140 by striking out therefrom in the first line the words: no house of easement or privy, and substituting therefor the words: no privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, so that said section as amended shall read: 10. *Nuisances When.* No privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, and no pen or sty for swine, shall be erected or continued in such place or condition as, in the judgment of the health officers, to be a nuisance or injurious to the public health.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 187, An act providing for a lunch period for women and children, Having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 288, An act relating to wages, Having considered the same reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the bill by inserting after the word, work, in line 7 the following, together with a full explanation of any plan by which said compensation may be affected.

And further amend said section by striking out after the word, begun in line 7 the following, and from the amount so stated, there shall be no deductions for waste or spoilage caused in the ordinary process of production, so that said section as amended shall read as follows:

1. Every person, firm or corporation engaged in the business of manufacturing, mining, quarrying or stone-cutting, or in a mercantile, railroad, telegraph, telephone, express or aqueduct business and every municipal corporation shall inform their employees or prospective employees the amount of pay, whether by hour, piece, percentage or job rate, they are to receive for work, together with a full explanation of any plan by which said compensation may be affected, before the work is begun.

Further amend the bill by striking out in line 12 after the word, effect, the words, upon its, and inserting in place thereof the words, thirty days after, so that said section as amended shall read as follows:

This act shall take effect thirty days after passage.

The report was accepted, amendments adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe the following resolution was adopted:

#### RESOLUTION

*Be it resolved*, That the President of the Senate be and hereby is directed to obtain from the Honorable Justices of



the Supreme Court their opinion upon the following question:

Do the provisions of Senate Bill No. 37, An act relating to compensation for motor vehicle accidents, copy of which is annexed hereto and made a part of this resolution violate any of the provisions of our State constitution?

BILL RECALLED FROM THE HOUSE OF REPRESENTATIVES

On motion of Senator Harrington the following resolution was adopted:

*Resolved*, That the House of Representatives be requested to return to the Senate for further consideration the following entitled bill:

Senate Bill No. 30, An act relating to banks.

HOUSE MESSAGE

*Mr. President:*

The House of Representatives has granted the request of the Honorable Senate and returns herewith Senate Bill No. 30, An act relating to banks.

BILL RETURNED FROM THE HOUSE OF REPRESENTATIVES

Pursuant to the foregoing resolution the House of Representatives returned to the Senate for further consideration Senate Bill No. 30, An act relating to banks.

On motion of Senator Harrington the rules were so far suspended as to allow the reconsideration of the vote on Senate Bill No. 30, An act relating to banks.

On motion of the same Senator the vote whereby the foregoing entitled bill was passed was reconsidered.

On motion of the same Senator the vote whereby the bill was ordered to a third reading was reconsidered.

The question being stated.

The bill is on its second reading and open to amendment.

Senator Harrington offered the following amendment:

Amend the bill by striking out sections six and seven and renumbering section 8 to read section 6.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Doe the rules were suspended and the bill read a third time at the present time and passed.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following bills and joint resolutions:

House Bill No. 4, An act to control the distribution and sale of milk.

House Bill No. 214, An act relating to the charter of the city of Nashua.

Senate Bill No. 39, An act legalizing the proceedings of the March 12, 1935 election in the city of Laconia.

House Bill No. 109, An act relating to the sale of liquor.

House Bill No. 134, An act relating to the practice of dentistry.

House Bill No. 213, An act relating to sale of certain alcoholic beverages.

House Bill No. 252, An act relating to service of process upon dealers in securities.

House Bill No. 309, An act relative to bridges on State-aided highways.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws.

House Joint Resolution No. 99, Joint resolution making an appropriation for state advertising.

On motion of Senator Bailey the Senate adjourned.

## AFTERNOON

## THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 50, An act relating to nuisances.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 288, An act relating to wages.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 312, An act legalizing the election in the town of Carroll.

On motion of Senator Roberts the Senate adjourned.

---

WEDNESDAY, MARCH 20, 1935.

The Senate met according to adjournment.

Senator Alexander in the Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 26, An act relating to the sale of liquor.

House Bill No. 80, An act to amend the charter of the city of Portsmouth.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill:

Senate Bill No. 28, An act relative to keeping liquor for sale.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 80, An act to amend the charter of the city of Portsmouth.

To the Committee on Liquor Laws,

House Bill No. 26, An act relating to the sale of liquor.

COMMITTEE REPORTS

Senator Barrett, for the Committee on Public Health, to whom was referred Senate Bill No. 14, An act relating to

mortuary regulations, Having considered the same, reported the same with the following amendments and recommended its passage:

Amend section 13 of the bill by striking out the word "two" in the sixth line and substituting therefor the word one; so that said section as amended will read as follows:

13. *Qualifications; Embalmers.* No person shall embalm dead human bodies or engage or hold himself out as engaged in embalming whether on his own behalf or in the employ of another, unless he shall be at least twenty-one years of age, a citizen of the United States, be of good moral character, shall hold a diploma or certificate showing completion of a high school course or its equivalent, shall have completed a one-year course in apprenticeship under the supervision and instruction of a duly registered embalmer actively engaged in embalming in this state and shall have completed a full course of instruction in an embalming school graded or rated by the Conference of Embalmers' Examining Boards of the United States, Inc., and pass such examinations as the board may deem proper to ascertain his efficiency and qualifications to engage in embalming, and obtain a certificate of registration from the board to that effect.

Amend section 14 by striking out the words "has furnished satisfactory proof that his establishment is properly constructed and provided with such supplies, equipment and facilities as the board may deem necessary", in the fifth, sixth and seventh lines; so that said section as amended will read as follows:

14. —, *Funeral Directors.* No person shall engage or hold himself out as engaged in funeral directing, unless he is the holder of an embalmer's certificate, has passed such examinations as the board may deem proper to ascertain his efficiency and qualifications to engage in funeral directing, and has obtained a certificate of registration from the board to that effect.

Amend section 26 by striking out the words "upon proof of attendance to at least one educational meeting during the twelve months immediately preceding and" in the second

and third lines; so that said section as amended will read as follows:

26. *Renewal of Certificates.* All certificates of registration may be renewed by the holders thereof upon payment to the secretary of the board of a renewal fee of five dollars.

Amend section 30 by striking out the whole of said section.

Amend sections 31 to 64 inclusive by renumbering said sections 30 to 63 respectively.

The report was accepted, amendments adopted, and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Butler, for the Committee on the Judiciary, to whom was referred House Bill No. 6, An act relating to horse racing and creating a State racing commission, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted, recommendations adopted, and the bill ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Cole the rules were suspended and the bill read a third time and passed.

Senator Manson, for the Committee on Engrossed Bills, to whom was referred House Bill No. 298, An act relative to furnishing information to prosecuting officers, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended its adoption:

Amend section 2 of said bill by striking out the words "punishable by a fine" in the fourth line and inserting in place thereof the word, fined.

The report was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Manson, for the Committee on Engrossed Bills, to whom was referred House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers, Having considered the same, reported the same under joint rule No. 6 with the following amendment, and recommended its passage:



Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Real Estate Records.* Amend chapter 19 of the Public Laws by adding after section 8 the following new section:

8-a. *Purchases of Personal Property Authorized.* The governor and council may expend a sum not to exceed five thousand dollars (\$5,000) in any calendar year for the purpose of purchasing from the estates of deceased surveyors and civil engineers such field notes, maps and other records prepared by them as will be of value in preserving real estate records of the State of New Hampshire; and may direct the highway commissioner or other engineers to examine such records as are for sale for the purpose of ascertaining their value to the public. The governor is authorized to draw his warrant for the payment of same out of any money in the treasury not otherwise appropriated.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in Senate amendment.

#### CONCURRENT RESOLUTION

On motion of Senator Cole the following concurrent resolution was adopted:

WHEREAS, The 197th Coast Artillery, Anti-Aircraft, New Hampshire National Guard has for a number of years engaged in its annual two weeks' training period at Rye Beach, New Hampshire, camping under field conditions and on property leased only for the period used, which premises are inadequate and are unsuitable for development as a permanent training area, and may become unavailable at any moment thereby creating uncertainty as to whether even this area can be used as a camp site, and

WHEREAS, The War Department has expended large sums of money in other States for the preparation of suitable training areas and the erection of permanent kitchen and mess structures, toilet facilities, shower baths and storage build-

ings, and has approved an allotment of \$120,000.00 in the National Guard construction program now before the Congress of the United States for the preparation of a permanent camp area for the anti-aircraft regiment of the New Hampshire National Guard, which allotment, however, cannot be expended on leased premises, and

WHEREAS, The War Department has tentatively approved the use of the New Reservation, so-called, adjoining Fort Stark in the town of New Castle for such a permanent training area for which purpose it is admirably suited, therefore

*Be it resolved*, That it is the opinion of the Senate and House of Representatives of New Hampshire that such use of the New Reservation, so-called, would be greatly to the benefit of the State of New Hampshire and its National Guard, and that it should be so used, and

*Be it further resolved*, That the Governor, the Adjutant General and citizens of New Hampshire and its Representatives in Congress be, and hereby are urged to cooperate with the War Department in every way possible to bring about the development of the proposed training area in New Castle, and

*Be it further resolved*, That a copy of these resolutions be forwarded to the Secretary of War and to each member of the New Hampshire delegation in Congress.

#### SPECIAL ORDER

Senator Marston called for the special order, it being Senate Bill No. 15, An act to stimulate economic recovery for the encouragement of new building projects.

The question being stated,

The bill was on its second reading and open to further amendment.

Senator Marston offered the following amendment:

Amend section 2 by striking out the whole of said section and inserting in place thereof the following; so that said section as amended shall read as follows:

2. *Emergency Improvement; Exemption.* Any additions or any improvements upon existing buildings or structures,

the improvement or alteration of which shall be commenced after the passage of this act shall be deemed to be emergency improvement and such alterations or improvements shall be exempt from taxation until the taxable year beginning April 1, 1940, provided that this section shall not be construed to exempt the land upon which such additions shall be effected.

The question being stated,

Shall the amendment be adopted?

(Discussion ensued)

On a *viva voce* vote the negative prevailed and the amendment was not adopted.

The question being stated,

Shall the bill be read a third time?

On a *viva voce* vote the Chair was in doubt.

Senator Martel demanded a roll call. The clerk proceeded to call the roll. The following named Senators voted in the affirmative:

Senators Kelley, Roberts, Manson, Condon, Butler, Burbank, Carter, Harrington, Doe, Calef, Cole and Brown.

The following named Senators voted in the negative:

Senators Bailey, Sanborn, Wiley, Alexander, Knowlton, Bouthillier, Marston, McLeod, Barrett, Foley and Martel.

Twelve Senators having voted in the affirmative and eleven in the negative the affirmative prevailed and the bill was ordered to a third reading at 2 o'clock this afternoon.

#### CONCURRENT RESOLUTION

Senator Manson offered the following concurrent resolution:

WHEREAS, The Peoples Trust Company of Lebanon, N. H., was closed by order of court in January, 1925, and

WHEREAS, Approximately five thousand depositors have failed to receive money due them, and

WHEREAS, Many of those depositors are working men and women and people of small means, some of whom are now receiving public relief from Lebanon and surrounding towns, and

WHEREAS, For six months prior to the closing of said Trust

Company its precarious and unsound condition was known by the bank examiners who should have closed the bank and avoided further losses instead of requiring daily reports with the result that the bank sunk deeper in the mire of financial ruin, and

WHEREAS, The State failed to perform its duty to safeguard the depositors by reason of the negligence of wilfulness of its agents the bank examiners, and

WHEREAS, The State is thereby morally responsible but cannot be held legally liable for these greater losses, and

WHEREAS, This resolution does not obligate the State to pay any money from State funds or lessen in any way the financial return to the State from the race track,

*Now therefore be it resolved*, That the Governor is hereby authorized and directed to require the Race Track Commission to add to the number of days on which races are regularly held two additional days of racing each year and to cause the owners of the race track at Salem, New Hampshire, to pay the net profits of those two days racing each year for four years to the State treasurer to the credit and for the benefit of all the depositors of the Peoples Trust Company.

*And be it further resolved*, That the funds so deposited with the State treasurer be drawn on order of the bank commissioner and used by him to reimburse the savings and commercial depositors of the Peoples Trust Company in such amounts and at such times as the bank commissioner may determine.

*And be it further resolved*, That the expense of disbursement shall be a charge upon said funds.

(Discussion ensued)

On motion of Senator Doe the resolution was referred to the Committee on Banks.

#### NOTICE OF RECONSIDERATION

Senator Manson served notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby House Bill No. 6, An act relating to horse racing and creating a State racing commission, was passed.

On motion of Senator Condon the Senate adjourned.

## AFTERNOON

Senator Harrington moved that the vote whereby House Bill No. 6, An act relating to horse racing and creating a State racing commission, was passed, be reconsidered.

(Discussion ensued)

The question being stated:

On a *viva voce* vote the negative prevailed and the motion to reconsider was lost.

On motion of Senator Brown the vote whereby the concurrent resolution offered by Senator Cole was adopted, was reconsidered.

On motion of the same Senator the concurrent resolution was referred to the Committee on Towns and Counties.

## THIRD READINGS

The following bills were read a third time and passed:

Senate Bill No. 14, An act relating to mortuary regulations.

Senate Bill No. 15, An act to stimulate economic recovery for the encouragement of new building projects.

On motion of Senator Roberts the Senate adjourned.

---

THURSDAY, MARCH 21, 1935.

Senate met according to adjournment.

Senator Alexander in chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 123, An act to strengthen the law relating to standard time.

House Bill No. 23, An act relating to cruelty to animals.

House Bill No. 78, An act relating to the sale of eggs at



retail or wholesale, defining fresh eggs and requiring markings of size.

The message further stated the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 50, An act relating to nuisances.

The message further stated the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills, sent down from the Honorable Senate:

House Bill No. 287, in Senate new draft and new title, An act entitled An act to regulate the traffic in intoxicating liquor.

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

The message further stated the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

House Bill No. 149, An act having reference to personal property in unorganized places.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Taxation of Personal Property.* Amend section 6 of chapter 61 of the Public Laws by adding at the end of said section the following: if the same has not already been taxed or was not taxed as real estate before severance, so that said section as amended shall read as follows: 6. *In Unorganized Place.* Personal property being on April first in any unorganized place, the owner of which resides in an organized town or place, may be taxed to the owner in the town or place where he resides, if the same has not already been taxed or was not taxed as real estate before severance.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Senator Doe the Senate voted to concur in the adoption of the amendment.

The message further stated the House of Representatives refused to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 111, An act in relation to tax collectors, and asks for a Committee of Conference. The Speaker appointed as members on the part of the House, Messrs. Neal of Meredith, O'Riley of Manchester, Vancore of Northfield, Fogg of Deerfield and Wiswall of Marlborough.

On motion of Senator Doe the Senate acceded to the request of the House of Representatives.

Pursuant to the above request the President appointed as members of the Committee of Conference on the part of the Senate, Senators Manson and Doe.

House Bill No. 288, An act relating to wages, and asked for a Committee of Conference. The Speaker appointed as members on the part of the House, Messrs. Brouillette of Manchester, Callahan of Keene, Parker of Lisbon, Molloy of Nashua and Ahern of Concord.

On motion of Senator Doe the Senate acceded to the request of the House of Representatives.

Pursuant to the above request the President appointed as members of the Committee of Conference on the part of the Senate, Senators McLeod and Carter.

The message further stated the House of Representatives has been informed by the Committee of Conference on House Bill No. 65, An act relating to the Superior Court, that they are unable to agree. The committee was discharged and the House asked for the appointment of a new committee. The Speaker appointed as members on the part of the House, Messrs. Lombard of Colebrook, Lewis of Littleton, Tobin of Manchester, Allen of Portsmouth and Manor of Salem.

On motion of Senator Doe the Senate voted to accede to the request of the House of Representatives for a new Committee of Conference, discharge the present committee and appoint a new Committee of Conference.

Pursuant to the above request the President appointed as members of the Committee of Conference on the part of the Senate, Senators Condon, Cole, Wiley.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred to the Committee on Revision of Laws:

House Bill No. 123, An act to strengthen the law relating to standard time.

House Bill No. 23, An act relating to cruelty to animals.

To the Committee on Agriculture,

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

## COMMITTEE REPORTS

Senator Butler for the Committee on Judiciary to whom was referred House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Sanborn for the Committee on Public Improvements, to whom was referred Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Pierce Lake, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "Pierce" in the third line and adding at the end of said section the words Franklin Pierce; so that said section as amended will read:

1. That a certain body of water situated in Antrim and Hillsborough made as a reservoir on the North Branch River and marked as Jackman Reservoir be named Lake Franklin Pierce.

Amend the title of the bill by striking out the word "Pierce" and adding at the end of said title the words Franklin Pierce; so that said title as amended will read:

An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

The report was accepted and amendment adopted, and the bill as amended ordered to a third reading this afternoon at 2 o'clock.

Senator Brown for the Committee on Agriculture to whom was referred House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section one of the bill by striking out the word "one" in the sixth line of said section and substituting in place thereof the word "two"; so that said section as amended will read:

1. *Motor Vehicle Registration Fees.* Amend Paragraph III of section 1 of chapter 102 of the Public Laws, as amended by chapter 94 of the laws of 1927, by adding at the end of said paragraph the following: Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates, so that said paragraph as amended shall read as follows: III. For each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle side-cars, the following rates on the gross weight of the vehicle and load; all vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand and not exceeding six thousand pounds, forty-five cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum

of forty cents per hundred pounds shall be added to the above rates; provided that the minimum fee as provided in this section shall be ten dollars for passenger vehicles and fifteen dollars for trucks. Tractors used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates.

Amend section 2 of the bill by striking out the word "upon" in the first line and substituting in place thereof the words "30 days after"; so that said section as amended will read:

2. *Takes Effect.* This act shall take effect 30 days after its passage.

The report was accepted and amendments adopted, and the bill as amended ordered to a third reading this afternoon at 2 o'clock.

Senator Carter for the Committee on Labor to whom was referred House Bill No. 133, An act relating to injunctions in labor disputes, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 6, in new draft, An act relating to horse racing and creating a state racing commission, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 15 of said bill by striking out the comma after the word "act" in the 6th line and inserting in place thereof a period.

Further amend said section by striking out the word "and" in the same line and inserting in place thereof the words, each such person, association or corporation also.

Amend section 21 of said bill by striking out the first three lines of said section and inserting in place thereof the following:



21. *Employees.* At least eighty-five percent of the persons employed by a person, association or corporation conducting a racing plant under the provisions of this act shall be residents of New Hampshire.

The report was accepted.

On a *viva voce* vote the amendments were adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

#### TAKEN FROM TABLE

On motion of Senator Brown Senate Bill No. 23, An act relating to the taking of salt water smelt, was taken from the table and the Clerk was requested to read an opinion of the Attorney-general regarding its constitutionality.

Hon. Arthur W. Brown,

Senator Dist. 23.

*Dear Sir:*

"In my opinion Senate Bill No. 23 is constitutional, as the waters described are within the territory of the state and such statutes have been interpreted as constitutional because of the proprietorship of the state as to fish and game.

"Some statutes expressly restrict the right to citizens of the state, and exclude a nonresident from planting or taking oysters or other shellfish from waters within limits of the state, even though he is either the sole or the part owner of land within a state having such a statute."

26 C.J. 613.

Very truly yours,

FRANCIS W. JOHNSTON,

*Attorney-General.*

The question being stated.

This bill is on its second reading and open to further amendment.

No amendment being offered the bill was ordered to a third reading this afternoon at 2 o'clock.

#### INTRODUCTION OF BILLS

Senator Bailey under a suspension of the rules (16 Senators having actually voted in favor thereof) introduced the

following entitled bill, Senate Bill No. 40, An act relating to a minimum wage for women and minors, which was read a first and second time, laid on the table to be printed and referred to the Committee on Labor.

Senator Kelley under a suspension of the rules (16 Senators having actually voted in favor thereof) introduced the following entitled bill, Senate Bill No. 41, An act relating to persons and property exempt from taxation, which was read a first and second time, laid on the table to be printed and referred to the Committee on Ways and Means.

Senator McLeod under a suspension of the rules (16 Senators having actually voted in favor thereof) introduced the following entitled joint resolution, Joint Resolution No. 12, to change the ward lines of Ward 8 in Concord and other wards affected by said change, which was read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

#### RECESS

The Senate reassembled.

On motion of Senator Cole the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

#### THIRD READINGS

The following bills were read a third time and passed:

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

House Bill No. 133, An act relating to injunctions in labor disputes.

Senate Bill No. 23, An act relating to the taking of salt water smelt.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 312, An act legalizing the November election in the town of Carroll.

House Bill No. 363, An act relating to unemployment in the city of Berlin and in the county of Coos.

On motion of Senator Bailey the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Doe the Senate adjourned out of respect of Franklin Pierce.

---

FRIDAY, MARCH 22, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., March 22, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MARCH 25, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., March 25, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MARCH 26, 1935.

The Senate met according to adjournment.  
Senator Alexander in Chair.

LEAVE OF ABSENCE

Senator Butler was granted leave of absence for the day on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 143, An act relating to municipal finances.

House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton March 12, 1935.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 30, An act relating to banks.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 6, An act relating to horse racing and creating a State racing commission.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

#### READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 143, An act relating to municipal finances.

House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton March 12, 1935.

To the Committee on Claims,

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.



## COMMITTEE REPORTS

Senator Barrett for the Committee on Pubic Health, to whom was referred House Bill No. 270, An act relating to the practice of chiropody, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "by" in the fifth line the word external; so that said section as amended will read:

1. Amend chapter 208 of the Public Laws by adding a new section as follows:

1. *Definition.* Within the meaning of this act, a chiropodist is defined as one who treats by external medical, mechanical or electrical means including bandaging and strapping, local ailments of the structures of the human foot; or as one who treats by surgical means local ailments of the superficial structures of the human foot. General anesthetics or amputation of the foot or toes are not permitted. This and the following sections of this chapter shall not apply to surgeons of the United States Army, Navy, or Marine hospital service, nor to physicians and surgeons regularly licensed under the laws of this state.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator McLeod for the Committee on Claims, to whom was referred Senate Joint Resolution No. 5, Joint resolution in favor of Ralph P. Mitchell, Having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Senator Calef, the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 348, An act relating to the powers of the village precinct of Hanover, Having considered

the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the words, "renumbering the same section 6" in the 2nd line and inserting in place thereof the words, striking out the same, re-numbering and inserting in place thereof the following: further amend said section by adding after the word "within" in the 12th line the words, the precinct, so that said section as amended shall read as follows:

3. *Highways; Sidewalks; Sewers.* Amend section 7 of chapter 225 of the Laws of 1901 by striking out the same, re-numbering and inserting in place thereof the following: Sect. 6. The precinct at its annual meeting shall determine what amount of money in addition to the highway taxes to be levied by the authority of the town shall be raised in the precinct and what amount shall be raised for sidewalks and for sewers. All taxes for sidewalks, highways, and sewers in the precinct shall be raised in money, whether by authority of the town or precinct, provided that nothing in this act shall be construed to derogate from the powers and duties of the town and selectmen to provide funds for ordinary and extraordinary repairs of bridges, culverts, highways and embankments within the precinct and for the construction of new highways that may be laid out in the precinct.

The report was accepted, the amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on Judiciary, to whom was referred House Bill No. 322, An act relating to town meetings in the town of Claremont, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Annual Town Meeting.* The annual town meeting in the town of Claremont may be held in the town hall. The polling place for the election of town officers at said meeting may be on the first floor of said building and the other business of said meeting may be transacted on the second floor of said building. The transaction of busi-

ness and the voting by ballot may be carried on at the same time.

Further amend said bill by striking out section 2 and inserting in place thereof the following: 2. *Special Officers.* The assistant moderator of said town, whose office was established by chapter 289 of the Laws of 1911, shall have such powers and duties of the moderator relative to voting and the transaction of business as the moderator may assign to him. The selectmen prior to said annual meeting shall appoint an assistant clerk who shall have such powers and duties of the town clerk relative to voting and the transaction of business at said annual meeting as the town clerk may assign to him.

The report was accepted.

On motion of Senator Condon, the bill with the accompanying report was laid upon the table.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 124, An act relating to suspended sentences, Having considered the same, reported the same under rule 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words, "or any corporation", in the 8th line.

Further amend said section 1 by striking out the words "shall be punished for a first offense by a fine of not more than one hundred dollars or by imprisonment for not more than six months, and for a subsequent offense by a fine of not more than five hundred dollars or by imprisonment for not more than one year" in the 16th to 20th lines, inclusive, and inserting in place thereof the words: shall for a first offense be fined not more than one hundred dollars or imprisoned for not more than six months and for a subsequent offense shall be fined not more than five hundred dollars or imprisoned for not more than one year.

Further amend said section 1 by striking out the last sentence in the 34th to 40th lines, inclusive, and inserting in place thereof the following: Any corporation violating any provisions of this section shall be fined not more than one

thousand dollars; and every officer, agent or employee of any such corporation, who on behalf of the same, directly or indirectly, engages in any of the acts herein prohibited, or assists such corporation to do such prohibited acts, shall be fined not more than five hundred dollars.

On a *viva voce* vote the amendment was adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations, Having considered the same, reported the same under rule 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Misdemeanors.* Amend section 11-a of chapter 369 of the Public Laws as inserted by chapter 98 of the Laws of 1929 by adding after the word "court" in the third line the words, or the case otherwise filed; further amend said section by striking out the word "six" in the fifth line and inserting in place thereof the word, three, so that said section as amended shall read as follows:

11-a. When in case of a misdemeanor a sentence to the house of correction or jail is imposed and the operation of said sentence is suspended by the court or the case otherwise filed, a mittimus for the service of said sentence may be issued by said court or its officers during a period of three years immediately subsequent to the date of the sentence and not thereafter.

On a *viva voce* vote the amendment was adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 6, An act relating to horse racing and creating a State racing commission.

House Bill No. 50, An act relating to nuisances.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

Senate Bill No. 28, An act relative to keeping liquor for sale.

#### RECESS

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bill, in the adoption of which amendments the House of Representatives ask the concurrence of the Honorable Senate:

Senate Bill No. 30, An act relating to banks.

On motion of Senator Harrington, the Senate concurred.

On motion of Senator Kelley, the Senate adjourned.

#### AFTERNOON

Senator Calef in Chair.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

House Bill No. 270, An act relating to the practice of chiropody.

On motion of Senator Bouthillier, the Senate adjourned.



## WEDNESDAY, MARCH 27, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

## LEAVES OF ABSENCE

Senator Butler was granted leave of absence for the rest of the week on account of illness.

Senator Marston was granted leave of absence for the day on account of important business.

Senator Roberts was granted leave of absence for the day on account of business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 326, An act relating to fiduciary powers of trust companies and National banks.

House Bill No. 350, An act relating to municipal water-works.

House Bill No. 355, An act relative to the operation of motor vehicles.

House Bill No. 357, An act relating to lotteries.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bill, in the adop-

tion of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 287 (In Senate new draft and title), An act to regulate the traffic in intoxicating liquor.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act providing for a recount of ballots on the question of sale of liquor or beverages in any city or town.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Local Option.* Amend chapter 3 of the Laws of the Special Session of 1934 by adding after section 35 the following new sections:

Further amend said section 1 of said bill by striking out the paragraph numbered 35-b and inserting in place thereof the following:

35-b. *Counting.* At the time and place so appointed in said notification the secretary of state shall produce the ballots and they shall be counted by him with such assistants as he may require. The ballots shall be open to the inspection of the petitioners, the officials of the city or town, counsel, if any, of the same, and other interested persons, under such suitable rules as the Secretary of State shall prescribe.

On motion of Senator Doe, the Senate concurred in the amendments offered by the Committee on Engrossed Bills.

#### READ AND REFERRED

The following entitled bills sent down from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 350, An act relating to municipal water-works.

House Bill No. 357, An act relating to lotteries.

To the Committee on Banks,

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

To the Committee on Transportation,

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 355, An act relative to the operation of motor vehicles.

## COMMITTEE REPORTS

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 356, An act authorizing the sale of certain property of the State, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary, Having considered the same reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by adding after section 2 the following new section:

3. *Town and City Elections.* Amend section 89 of chapter 26 of the Public Laws by striking out said section and inserting in place thereof the following: 89. *Special Provisions.* Where this system is in force at local elections a plurality shall elect, the city or town clerk shall prepare the ballot and nominations shall be filed with him seven days before the election. The number of days herein given shall include Sunday and shall end on the day before election at six o'clock in the afternoon.

Further amend said bill by renumbering section 3 to read section 4.

The report was accepted, amendments adopted, and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Education, to whom was referred

House Bill No. 54 (In new draft), An act defining the rights of school board members in supervisory unions.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

Senate Bill No. 30, An act relating to banks.

#### INTRODUCTION OF BILL

Senator Calef, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred:

Senate Bill No. 42, An act relative to Penacook Union School District.

Senator Calef moved that the rules be further suspended, printing and reference to committee be dispensed with, and the foregoing entitled bill be read a third time and passed.

(Discussion ensued)

The question being stated

Shall the rules be further suspended, printing and reference to committee be dispensed with and the bill ordered to a third reading.

On a *viva voce* vote, the affirmative prevailed and the bill was read a third time and passed.

#### TAKEN FROM THE TABLE

On motion of Senator Condon, House Bill No. 322, An act relating to town meetings in the town of Claremont, was taken from the table.

The question being stated

Shall the amendments offered by the Committee on the Judiciary be adopted.

On a *viva voce* vote, the amendments were adopted and the bill was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Condon, the Senate adjourned.

#### AFTERNOON

Senator Sanborn in Chair.

#### THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 54 (In new draft), An act defining the rights of school board members in supervisory unions.

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

#### INTRODUCTION OF BILL

Senator Calef, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Senate Bill No. 43, An act relative to brands for milk jars and jugs.

On motion of Senator Condon, the Senate adjourned.

---

THURSDAY, MARCH 28, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.



## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 231, An act relating to New Hampshire home industries.

House Bill No. 337, An act making appropriations for Hampton river jetties.

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

Amend section 1 of said bill by adding after the word "thousand" in the 3rd line the word, dollars, and by striking out the word "dollars" in the fourth line.

Amend section 2 of said bill by striking out the words "consistent of" in the 5th line and inserting in place thereof the words, consistent with.

On motion of Senator Doe, the Senate concurred with the House of Representatives in the adoption of the amendments offered by the Committee on Engrossed Bills.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 270, An act relating to the practice of chiropody.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 231, An act relating to New Hampshire home industries.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

To the Committees on Coastwise Improvements, and Finance,

House Bill No. 337, An act making appropriations for Hampton river jetties.

To the Committee on Ways and Means,

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

To the Committee on Public Improvements,

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

#### COMMITTEE REPORTS

Senator Calef for the Committee on the Judiciary, to whom was referred House Joint Resolution No. 124, Joint resolution

in favor of Lena M. French of Pittsfield, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 143, An act relating to municipal finances, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Calef for the Committee on the Judiciary, to whom was referred House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton March 12, 1935, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Martel for the Committee on Towns and Counties, to whom was referred House Bill No. 302, An act relative to the perambulation of town lines, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 133, An act relating to injunctions in labor disputes, Having considered the same, reported the same under joint rule 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first thirteen lines and inserting in place thereof the following:

1. *Hearings upon Court Orders.* Amend section 27 of chapter 380 of the Public Laws by adding at the end of said section the following: All hearings upon court orders granting or denying an injunction in such matters and all appeals from such orders shall be given precedence in the superior and supreme courts over other matters pending, to the end that an expeditious adjudication of the issues may be reached, so that said sections as amended shall read as follows:

Further amend said section 1 by striking out the last sentence thereof and inserting in place thereof the following: All hearings upon court orders granting or denying an injunction in such matters and all appeals from such orders shall be given precedence in the superior and supreme courts over other matters pending, to the end that an expeditious adjudication of the issues may be reached.

On a *viva voce* vote the amendments were adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendments. On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 1, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton, March 12, 1935.

House Bill No. 302, An act relative to the perambulation of town lines.

On motion of Senator Condon, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

#### NOTICE OF RECONSIDERATION

Senator Marston served notice that on Tuesday he would ask for a reconsideration of the vote on House Bill No. 143, An act relating to municipal finances.

On motion of Senator Kelley, the Senate adjourned.

---

FRIDAY, MARCH 29, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., March 29, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, APRIL 1, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., April 1, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*



There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, APRIL 2, 1935.

The Senate met according to adjournment.  
Senator Alexander in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April 1934 and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service Commission.

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

House Bill No. 321, An act relating to the terms of the superior court.

House Bill No. 331, An act relating to kidnapping.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April 1934 and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service Commission.

House Bill No. 321, An act relating to the terms of the superior court.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds.

On motion of Senator Marston, the rules were suspended, reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

To the Committee on Agriculture,

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

To the Committee on Finance,

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

### COMMITTEE REPORTS

Senator Condon for the Committee on Labor, to whom was referred House Bill No. 144, An act regarding the weekly payment of wages, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Payment of Wages.* Amend section 25 of chapter 176 of the Public Laws by striking out said section and inserting in place thereof the following: 25. *Weekly.* Every person, firm or corporation engaged in the operation of a manufacturing, mechanical or mercantile establishment or in mining, quarrying or stonecutting, or in cutting, harvesting and driving pulpwood and timber, or in a railroad, telegraph, telephone, express or aqueduct business, or in the erection, alteration, repair, or removal of any building or structure or in the construction or repair of any railroad, road, bridge, sewer, gas, water or electric light works, pipes, or lines and every municipal corporation, employing more than ten persons at one time, shall pay the wages earned each week by employees who work by the day or week, within eight days, including Sunday, after the expiration of the week. Every such person, firm or corporation shall post on a form provided by the commissioner of labor a notice in a conspicuous place in his office that wages will be so paid, and shall keep the same so posted.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Amendment.* Amend section 28 of said chapter 176 by striking out said section and inserting in place thereof the following: 28. *Penalty.* Whoever wilfully violates any of

the provisions of this subdivision shall be fined not more than twenty-five dollars for each offense provided that a prosecution therefor is begun within six months after the offense is committed, but not otherwise.

Further amend said bill by adding after section 2 the following new sections:

3. *Enforcement.* Amend said chapter 176 by adding after section 47, as inserted by chapter 130 of the Laws of 1933, the following new section: 48. *Commissioner of Labor.* It shall be the duty of the commissioner of labor to enforce the provisions of this chapter, provided that nothing in this section shall be construed as eliminating the right of any party aggrieved to make complaint for any violation thereof.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Butler under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following committee report not previously advertised in the journal.

House Bill No. 42 (in new draft), An act in amendment of the charter of the city of Concord, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following: 1. The governor with advice and consent of the council immediately after the passage of this act, shall appoint three police commissioners who shall have been residents of said Concord at least five years immediately preceding the date of their appointment, one of whom shall hold office for two years from the date of his appointment, one for four years, and one for six years from said date, or until their successor is appointed and qualified; and biennially thereafter on or before the first day of March, the governor with advice and consent of the council

shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner.

Amend section 2 of said bill by striking out the word "Mayor" in the first line and inserting in place thereof the words, governor with advice and consent of the council, so that said section as amended shall read as follows: 2. The governor with advice and consent of the council shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following: 12. The commissioners shall make a detailed report of their doings quarterly to the mayor and aldermen of the city and annually to the governor and council in the month of December. The records of the commission shall at all times be open to the inspection of the governor, the mayor and the citizens of the city.

Amend section 16 of said bill by striking out the same and inserting in place thereof the following: 16. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 54, An act defining the rights of school board members in supervisory unions.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 302, An act relative to the perambulation of town lines.

House Bill No. 374, An act legalizing the proceedings of the



annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton, March 12, 1935.

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

House Bill No. 149, An act having reference to personal property in unorganized places.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 287, An act providing for a recount of ballots on the question of sale of liquor or beverages in any city or town.

#### RECONSIDERATION

Senator Marston moved that the rules be so far suspended as to allow the reconsideration of the vote on House Bill No. 143, An act relating to municipal finances.

On a *viva voce* vote the affirmative prevailed and the Senate reconsidered.

On motion of Senator Marston, the Senate voted to reconsider the vote whereby the bill was voted inexpedient to legislate.

On motion of the same Senator, the Senate voted to recommit the foregoing bill to the Committee on the Judiciary.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 391, An act relative to grants to towns for payments on account of direct relief.

## READ AND REFERRED

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 391, An act relative to grants to towns for payment on account of direct relief.

On motion of Senator Manson, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

## BILL RECALLED FROM THE HOUSE OF REPRESENTATIVES

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the House of Representatives be requested to return to the Senate for further consideration the following entitled joint resolution:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

## BILL RETURNED FROM THE HOUSE OF REPRESENTATIVES

Pursuant to the above request the House of Representatives returned to the Senate for further consideration the following entitled joint resolution:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

On motion of Senator Doe, the rules were so far suspended as to allow the reconsideration of the vote on the foregoing joint resolution.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the joint resolution passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the joint resolution was ordered to a third reading.

On motion of the same Senator, the Senate voted to recommit the joint resolution to the Committee on Finance.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

## THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 42 (in new draft), An act in amendment of the charter of the city of Concord.

On motion of Senator Kelley, the Senate adjourned.

---

WEDNESDAY, APRIL 3, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 280, An act relative to transfer of ownership of motor vehicles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 133, An act relating to injunctions in labor disputes.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 280, An act relative to transfer of ownership of motor vehicles.

## COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary, to whom was referred:

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

House Bill No. 350, An act relating to municipal water works.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantee on emergency notes and bonds of towns, cities and counties, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 357, An act relating to lotteries, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the recommendation adopted.

Senator Manson for the Committee on Transportation, to whom was referred House Bill No. 94, An act relating to motor vehicle trailers, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Transportation, to whom was referred House Bill No. 355, An act relative to the operation of motor vehicles, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by inserting after the word, letters, in line nineteen the words, not less than, so that the bill as amended shall read as follows:

1. *Operation of Motor Vehicles.* Amend section 12 of chapter 10 of the Public Laws by adding after the word, "railway" in the second line the words, or a motor bus or other

motor vehicle carrying school children, so that said section as amended shall read as follows:

12. *Street Cars; Motor Busses; Or Other Motor Vehicles.* The driver of a motor vehicle, approaching or passing a car of any street railway or passing a car of any street railway or a motor bus or other motor vehicle carrying school children which has been stopped to allow passengers to alight or embark, shall slow down such vehicle, and, if it be necessary for the safety of the public, shall bring it to a full stop. Motor busses or all other motor vehicles carrying school children should be plainly marked on the rear of such vehicles, in letters of not less than two inches in size.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Transportation, to whom was referred Senate Bill No. 24, An act relating to safety glass on motor vehicles, Having considered the same, reported the same in new draft and recommended its passage.

The report was accepted, and the bill laid upon the table to be printed.

Senator Sanborn for the Committee on Agriculture, to whom was referred Senate Bill No. 43, An act relative to brands for milk jars and jugs, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the title of the bill by inserting after the word, milk, the following, cans, cases, boxes, bottles and by changing the word, and, to "or," so that said title as amended shall read as follows: An act relative to brands for milk cans, cases, boxes, bottles, jars or jugs.

Amend Section 1 of said bill by inserting after the word, "words," in line three the following, cans, cases, boxes.

Further amend said section by inserting after the word, "cans" in line six the following, cases, boxes.

Further amend said section by striking out the words, "and also" in line ten and inserting in place thereof the word, "or."

Further amend said section by striking out the word,



"four" in line twelve and inserting in place thereof the word, "two," so that said section as amended shall read as follows:

1. *Brands.* Amend section 10 of chapter 170 of the Public Laws as amended by chapter 37, Laws of 1931, by striking out the words, "or bottles" in the second line and inserting in place thereof the words, cans, cases, boxes, bottles, jars or jugs, so that said section as amended shall read as follows:

10. *Registering.* A person engaged in buying, selling or dealing in milk or cream in cans, cases, boxes, bottles, jars or jugs, or bottling or selling beverages in bottles or vessels with his name and the word registered, branded, engraved, blown or otherwise produced thereon, or on the boxes used by him, may register the same by filing in the office of the clerk of the city or town in which his principal place of business is situated, or in the office of the secretary of state, a description of the name so used by him, and publishing such description once in each of two successive weeks in a newspaper, if any, published in the city or town in which said description has been filed; otherwise, in a newspaper published in the county. The fee for registration with the secretary of state shall be one dollar for each brand so registered.

Amend Section 3 of the bill by striking out after the word, words, in line 2 the following, jars, jugs, boxes, and inserting in place thereof the following, cans, cases, boxes, bottles, jars or jugs.

Further amend said section by inserting after the word, "a" in line 6 the words, milk dealer.

Further amend said section by inserting after the word, cans, in line 8 the words, cases, boxes.

Further amend said section by striking out the word, boxes, after the word, jugs, in line 8.

So that said section as amended shall read as follows:

3. *Amendment.* Amend section 13 of said chapter 170 by adding after the word "bottles" in the sixth line, the words, cans, cases, boxes, bottles, jars or jugs, so that said section as amended shall read as follows: 13. *Search Warrants.* Upon complaint of a person who has complied with the provisions of section 10, or his agent, to a municipal court, or justice of

the peace, that he has reason to believe that any of his registered containers are being unlawfully used, or that a milk dealer, junk dealer or dealer in second-hand articles, or a vendor of cans or bottles, has any such cans, cases, boxes, bottles, jars, jugs or vessel in his possession, or secreted in any place, said justice may issue a search warrant, may cause the person in whose possession such property is found to be brought before him, and shall inquire into the circumstances of such possession, and award possession of the property taken upon such search warrant to the owner thereof.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Sanborn for the Committee on Agriculture, to whom was referred House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 10 of said bill by adding the following sentence at the end of said section: All fines shall be paid to the commissioner of agriculture by the justice or court imposing same, within ten days after their receipt and shall be used for the enforcement of the act, so that said section as amended shall read as follows: 10. *Penalty.* Any person violating any of the provisions of this act shall be fined not more than twenty-five dollars for the first offense and for each subsequent offense not more than one hundred dollars. All fines shall be paid to the commissioner of agriculture by the justice or court imposing same, within ten days after their receipt and shall be used for the enforcement of the act.

Further amend said bill by inserting after section 10 the following new section: 11. *Interpretation.* Nothing in this act shall be construed as interfering with the powers of the state board of health or with statutes relating to public health and sanitary inspection, production and distribution of food, whether under chapters 136, 137, 138 and 139 of the Public Laws and amendments thereto or otherwise.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Sanborn for the Committee on Agriculture, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

#### MAJORITY AND MINORITY REPORTS

A majority of the Committee on Revision of Laws, to whom was referred House Bill No. 123, An act to strengthen the law relating to standard time, Having considered the same, reported the same without amendment and recommended its passage.

HAVEN DOE,  
HARRY MANSON,  
CLARENCE L. BAILEY,

*For a majority of the Committee.*

A minority of the Committee on Revision of Laws, to whom was referred House Bill No. 123, An act to strengthen the law relating to standard time, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN G. MARSTON,  
DONALD McLEOD,

*For a minority of the Committee.*

The report of the majority was accepted.

Senator Marston moved that the report of the minority be substituted for that of the majority.

(Discussion ensued)

Senator Carter asked for a division.

Twelve Senators having voted in the affirmative and ten Senators in the negative, the affirmative prevailed.

Senator Sanborn demanded a roll call.

The question being stated, Shall the report of the minority be substituted for that of the majority?

The following named Senators voted in the affirmative: Senators Knowlton, Burbank, Carter, Bouthillier, Marston, McLeod, Harrington, Barrett, Foley, Martel, Cole, Brown, Senator Dale paired with Senator Condon, Senator Dale voting Yes, Senator Condon voting No.

The following named Senators voted in the negative: Senators Kelley, Roberts, Bailey, Sanborn, Manson, Wiley, Condon paired with Senator Dale, Senator Condon voting No, Senator Dale voting Yes, Butler, Doe and Calef.

Thirteen Senators having voted in the affirmative and ten Senators having voted in the negative, the affirmative prevailed and the report of the minority was substituted for that of the majority.

The question being stated, Shall the resolution of the committee be adopted?

On a *viva voce* vote, the affirmative prevailed and the resolution of the committee was adopted.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 356, An act authorizing the sale of certain property 'of the State, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill, section 1, by adding after the word "has" in the third line the words, acquired by escheat. Further amend said section 1 by striking out the words, "the title of the State in and to the above described premises was acquired by escheat" in the eleventh and twelfth lines.

On a *viva voce* vote, the amendment was adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

On motion of Senator Butler, the rules were so far suspended as to permit the introduction of a committee report not previously advertised in the **Journal**.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 116, An act to provide for



city, town, village districts and regional planning boards, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 18 of said bill by inserting after the word "membership" in line 19 the words, in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or district, so that said section as amended shall read as follows: 18. *Amendments to Official Map.* Council is authorized and empowered, whenever and as often as it may deem it advisable or necessary for the public interest, to change, or add to the official map of the municipality so as to establish the exterior lines of the new streets, or parks, or to widen, extend, relocate, narrow, vacate, abandon, or close existing streets or parks; and the acceptance of, change of use, acquisition of land for, or sale or lease of any street or other public way, ground, place, property or structure. No change shall become effective until after a public hearing shall have been held in relation thereto, at which parties in interest and citizens shall have had an opportunity to be heard. At least fifteen days' notice of such a public hearing shall be published in a newspaper of general circulation in said municipality and by posting a notice to the same effect at the city or town hall, or in whatever place other notices required by law in connection with municipal affairs are posted or customarily displayed. Before making such addition, amendment or change, council shall refer the matter to the planning board for report thereon; but if the planning board shall not make its report within thirty days of such reference, it shall be deemed thereby to have forfeited the right further to suspend action. In the event that the planning board disapprove the proposed addition, amendment or change, council shall not have the right to overrule such decision, unless by vote of not less than two-thirds of its entire membership in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or district. Such additions, amendments, and changes



then adopted shall become a part of the official map of the municipality, and shall be deemed to be final and conclusive with respect of the location of the streets and parks shown thereon. The locating, widening, narrowing, or closing, or the approval of locating, widening, narrowing or closing of streets and parks by the municipality under provisions of law other than those contained in this act shall be deemed to be a change or addition to the official map, and shall be subject to all the provisions of this act.

Further amend said bill by striking out all of section 25 and inserting in place thereof the following: 25. *Improvements in Unapproved Streets.* A municipality which has established and recorded an official map, as provided in section 17 of this act, and has conferred upon a planning board platting jurisdiction in accordance with section 19 hereof, shall not thereafter accept, lay out, open, improve, grade, pave, or light any street, or lay or authorize the laying of water mains, sewers, connections, or other facilities or utilities in any street, within any portion of the municipality included in the official map, unless such street (a) shall have been accepted or opened as, or shall otherwise have received the legal status of a public street prior to the conferring of platting jurisdiction upon the planning board; or unless such street (b) correspond in its location and lines with a street shown on the official map or with a street shown on a subdivision plat approved by the planning board, or with a street on a street plat made by and adopted by the board. Council may, however, accept, locate, and construct any street not shown on or not corresponding with a street on the official map or on an approved subdivision plat or an approved street plat, provided the ordinance or other measure for the accepting, locating and construction of such street be first submitted to the planning board for its approval, and, if approved by the board, be approved by a majority vote of the entire membership of council, or, if disapproved by the planning board, be approved by not less than two-thirds of the entire membership of council in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case

of a town or district. A street approved as provided in this section shall thereupon have the status of an approved street as fully as though it had been originally shown on the official map or on a subdivision plat approved by the planning board, or had been originally platted by the planning board.

Further amend said bill by striking out all of section 28 and inserting in place thereof the following: 28. *Duties of Register of Deeds.* A register of deeds of any county where plats of subdivisions shall be recorded as provided in section 20 hereof, who files or records a plat of a subdivision without the approval of a planning board where required by law shall be deemed guilty of a misdemeanor and shall be fined not less than one hundred nor more than five hundred dollars.

Amend section 29 of said bill by striking out in line three the words "in this title of this act," and inserting in place thereof the word, herein.

Amend section 30 of said bill by striking out in lines six and seven the words "Title VI of this Act," and inserting in place thereof the words, the following subdivision.

The report was accepted, amendment adopted and the bill was ordered to a third reading this afternoon at two o'clock.

#### COMMITTEE ON CONFERENCE REPORT

The Committee on Conference to whom was referred House Bill No. 65, An act relating to the superior court, having considered the same, recommend that the House of Representatives recede from its position of non-concurrence in the amendments to section 2 as proposed by the Senate and concur with the Senate in the adoption of that amendment; further recommend that the House of Representatives recede from its position of non-concurrence in the amendment to section 1 of said bill as proposed by the Senate and that the Senate recede from its position in adopting that amendment and that said House and Senate adopt the following amendment:

Amend section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

1. *Number of Justices Increased.* Amend Section 1 of Chapter 316 of the Public Laws as amended by Chapter 51 of the Laws of 1927 by striking out the word, "five," and in-

serting in place thereof the word, "seven," and by adding at the end of said section the following: No more than seven shall be assigned for regular sessions. One or more may be assigned by the chief justice to field work in any session as may be required, so that said section as amended shall read as follows:

1. *Justices.* The superior court shall consist of a chief justice and seven associate justices appointed and commissioned as prescribed by the constitution. No more than seven shall be assigned for regular sessions. One or more may be assigned by the chief justice to field work in any session as may be required.

DARWIN LOMBARD,  
JEREMIAH J. TOBIN,  
HERBERT S. LEWIS,  
CHARLES A. ALLEN,  
CARL MANOR,

*Committee for the House of Representatives.*

JOHN P. CONDON,  
WILLIAM M. COLE,  
MAURICE G. WILEY,

*Committee for the Senate.*

The question being stated, Shall the report of the Committee of Conference be adopted?

On a *viva voce* vote, the affirmative prevailed and the report was adopted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds.

House Bill No. 391, An act relative to grants to towns for payments on account of direct relief.

## INTRODUCTION OF BILL

Senator Harrington under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Senate Bill No. 44, An act relating to the naming of certain bridges.

Senator Foley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 45, An act relating to definition of terms used in the liquor laws.

Senator Martel under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 46, An act in amendment to Chapter 99, Section 32 of the Laws of 1933, relating to the sale of certain alcoholic beverages.

Senate Bill No. 47, An act in amendment to Chapter 3, Section 22 of the Laws of the Special Session of 1934, relating to an act to regulate the traffic in intoxicating liquor.

On motion of Senator Carter, the Senate adjourned.

## AFTERNOON

Senator Condon in Chair.

## THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

Senate Bill No. 43, An act relative to brands for milk cans, cases, bottles, boxes, jars or jugs.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantee on emergency notes and bonds of towns, cities and counties.

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 116, An act to provide for city, town, village districts and regional planning boards.

House Bill No. 350, An act relating to municipal water works.

House Bill No. 355, An act relative to the operation of motor vehicles.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

#### BILL RECALLED FROM THE GOVERNOR

On motion of Senator Calef, the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill: House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America.

#### BILL RETURNED FROM THE GOVERNOR

Pursuant to the foregoing resolution, His Excellency returned to the Senate for further consideration the following entitled bill: House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America.

On motion of Senator Calef, the rules were so far suspended as to allow the reconsideration of the vote on the following entitled bill: House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America.



On motion of the same Senator, the vote whereby the foregoing entitled bill was passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing entitled bill was ordered to a third reading was reconsidered.

On motion of the same Senator, the foregoing entitled bill was indefinitely postponed.

## RECESS

The Senate reassembled.

On motion of Senator Barrett, the Senate adjourned.

---

THURSDAY, APRIL 4, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects.

House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the

passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate:

Senate Bill No. 23, An act relating to the taking of salt water smelt.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bill, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

Amend said paragraph by striking out section 1 and inserting in place thereof the following:

1. *Motor Vehicle Registration Fees.* Amend paragraph III of section 1 of chapter 102 of the Public Laws, as amended by chapter 94 of the laws of 1927, by adding at the end of said paragraph the following:

Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates, so that said paragraph as amended shall read as follows: III. For each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires except motor cycles and motor cycle side-cars, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand pounds and not exceeding six thousand pounds, forty-five cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds fifty cents per hun-

dred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty cents per hundred pounds shall be added to the above rates; provided, that the minimum fee as provided in this section shall be ten dollars for passenger vehicles and fifteen dollars for trucks. Tractors used for agricultural purposes only, tractors used for power purposes only that do not haul loads on the public highways, tractors used only on snow, and snowmobiles, shall pay one tenth of the above rates. Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates.

On motion of Senator Doe, the Senate voted to concur in the adoption of the amendments.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill with amendments sent down from the Honorable Senate:

House Bill No. 42 (In new draft), An act in amendment of the charter of the city of Concord, and asks for a Committee on Conference. The Speaker has appointed as members on part of the House, Messrs. Ahern of Concord, Saltmarsh of Concord, and Sanderson of Pittsfield.

On motion of Senator Doe, the Senate voted to accede to the request of the House for a Committee on Conference on the foregoing bill, and the President appointed as members on the part of the Senate, Senators Cole and Butler.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political sub-divisions for public works projects.

House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough.

### COMMITTEE REPORTS

Senator Butler for the Committee on Judiciary, to whom was referred House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 143, An act relating to municipal finances.

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April 1934 and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes, Having considered the same, reported the same without amendment and recommended its passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred Senate Bill No. 11, An act relating to the settlement of paupers, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Settlement of Paupers.* Amend paragraph IX, section

1, chapter 105 of the Public Laws, as amended by section, chapter 142, Laws of 1933, by striking out the same and inserting in place thereof the following: IX. *Payment of Taxes.* Any person of the age of twenty-one years who shall have resided in any town in this state seven years within the last ten years, and shall have paid all taxes legally assessed on his poll for seven years in succession or on real estate or personal property for four years in succession during the last ten years, shall thereby gain a settlement in such town.

The report was accepted.

On motion of Senator Doe, the bill with the adoption of the amendments pending was laid upon the table.

Senator Carter for the Committee on Labor, to whom was referred Senate Bill No. 40, An act relating to a minimum wage for women and minors, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Revision of Laws, to whom was referred House Bill No. 23, An act relating to cruelty to animals, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Harrington for the Committee on Banks, to whom was referred the concurrent resolution relating to the People's Trust Company of Lebanon, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being stated, Shall the resolution of the Committee be adopted?

(Discussion ensued)

The question being stated, Shall the resolution of the Committee be adopted?

On a *viva voce* vote the resolution was adopted.



## INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Marston, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Marston for the Joint Committee on Coastwise Improvements and Finance, to whom was referred House Bill No. 337, An act making appropriation for Hampton river jetties, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantee of emergency notes and bonds by towns, cities and counties.

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

## INTRODUCTION OF BILLS

Senator Doe under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Revision of Laws,

Senate Bill No. 48, An act relating to descent, distribution and advancements.

Senator Roberts under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Military Affairs,

Senate Bill No. 49, An act establishing a veterans' welfare commission.

Senator Carter under a suspension of the rules, sixteen

Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Public Improvements,

Senate Bill No. 50, An act to provide for the regulation of billboards, signs and other forms of outdoor advertising.

On motion of Senator Carter, the order whereby Senate Bill No. 50 was referred to the Committee on Public Improvements was vacated and the bill was referred to the Committee on Judiciary.

#### RECONSIDERATION OF VOTE

On motion of Senator Sanborn, the rules were so far suspended as to allow the reconsideration of the vote on House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing joint resolution was passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing joint resolution was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was referred to the Committee on Finance.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 143, An act relating to municipal finances.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 337, An act making appropriation for Hampton river jetties.

Senate Bill No. 40, An act relating to a minimum wage for women and minors.

Senate Bill No. 24 (In new draft), An act relating to safety glass on motor vehicles.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Roberts, the Senate adjourned.

---

FRIDAY, APRIL 5, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., April 5, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, APRIL 8, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., April 8, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, APRIL 9, 1935.

The Senate met according to adjournment.

Senator Manson in the Chair.

#### LEAVES OF ABSENCE

Senator Barrett was granted leave of absence for the week on account of illness.

Senator Alexander was granted leave of absence for the day on account of illness.

#### INTRODUCTION OF JOINT RESOLUTION

Senator Harrington under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution, which was read a first and second time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

On motion of Senator Carter, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing joint resolution was read a third time and passed.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 78, An act relating to the sale of eggs at re-

tail or wholesale, defining fresh eggs and requiring markings of size.

House Bill No. 116, An act to provide for city, town, village districts and regional planning boards.

House Bill No. 355, An act relative to the operation of motor vehicles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 356, An act authorizing the sale of certain property of the State.

### COMMITTEE REPORTS

Senator Burbank for the Committee on Ways and Means, to whom was referred Senate Bill No. 41, An act relating to persons and property exempt from taxation, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution was adopted.

Senator Burbank for the Committee on Ways and Means, to whom was referred House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Calf for the Committee on Finance, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively,

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund,

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission, Having considered the same, reported the same without amendment and recommended their passage.



The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 66, An act in relation to tax collectors, Having considered the same, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out the first two sections and inserting in place thereof the following:

1. *Tax Collectors.* Amend chapter 47 of the Public Laws by adding after section 31 the following new section: 31-a. *Supervision by Tax Commission.* The tax commission shall have and exercise general supervision over all tax collectors in the performance of their duties to the end that the laws relating to the collection of taxes may be properly administered.

2. *Removal from Office.* Amend chapter 47 of the Public Laws by adding after section 31-a, as inserted by this act the following new section: 31-b. *Notice to Selectmen.* Whenever as the result of an audit or examination by the tax commission or its authorized agents of the accounts of a tax collector said accounts are found to be irregular the tax commission may cause the removal of said tax collector by notice to the selectmen that the office is vacant. Upon receipt of such notice the selectmen shall appoint a suitable tax collector within ten days. Said selectmen shall issue a warrant to said appointee to collect the remainder of such taxes as have been uncollected by the collector who has been removed from office. Said appointee shall give bond, possess the powers, perform the duties and be paid as other collectors.

The report was accepted, amendment adopted, and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing said Farmington village precinct to fund or refund its indebted-

ness as represented by notes, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figures "of New Hampshire, 1926," in the sixth and seventh lines.

Amend section 2 of said bill by striking out the words and figures, "of New Hampshire, 1926" in the third line.

The report was accepted, amendments adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendments.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end of said section the following words, which has been recorded in said registry during the preceding tax year.

Amend section 4 of said bill by adding after the word "preceding" in the fifth line the word, tax.

The report was accepted, amendments adopted, and the bill was sent to the House of Representatives for concurrence in the Senate amendments.

#### RECONSIDERATION

On motion of Senator Condon, the rules were suspended to allow the reconsideration of the vote on House Bill No. 23, An act relating to "cruelty to animals."

On motion of the same Senator, the Senate voted to reconsider the vote whereby it was voted inexpedient to legislate.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Revision of Laws.

On motion of Senator Condon, the Senate adjourned.

## AFTERNOON

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled joint resolution sent down from the Honorable Senate:

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

## THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed:

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

On motion of Senator Marston, the Senate adjourned.

---

WEDNESDAY, APRIL 10, 1935.

The Senate met according to adjournment.

Senator Butler in Chair.

## LEAVE OF ABSENCE

Senator Alexander was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 365, An act relating to deposits of cash by savings banks.

House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 270, An act relating to the practice of chiropody.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *The Practice of Chiropody.* Amend section 8 of chapter 208 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Licenses.* The board shall issue the certificate of a licensed chiropodist to whoever passes a satisfactory examination, and thereupon he shall have legal authority to treat by external medical, mechanical or electrical means, including bandaging and strapping, local ailments of the structures of the human foot, and to treat by surgical means local ailments of the superficial structures of the human foot. Said certificate shall not authorize the licensee to administer general anaesthetics or to perform amputation of the foot or toes. Licenses shall not be issued for a period exceeding one year, and shall be renewed as provided herein.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the amendment.

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Name Given.* A certain reservoir of water on the North Branch river in the towns of Antrim and Hillsborough, now known as the Jackman reservoir, is hereby named Lake Franklin Pierce.

On motion of Senator Doe, the Senate voted to concur with the House of Representatives in the amendment.

The message further stated that the House of Representatives has refused to adopt the report of the Committee of Conference to House Bill No. 65, An act relating to the superior court.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Banks,

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 365, An act relating to deposits of cash by savings banks.

To the Committee on Forestry,

House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

#### COMMITTEE REPORTS

Senator Doe for the Committee on Revision of Laws, to whom was referred Senate Bill No. 3, An act in amendment of Section 9, Chapter 70 of the Public Laws, relating to taxation of banks and insurance companies, Having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate, the subject matter having been previously covered by another bill.

The report was accepted and the resolution adopted.

Senator Calef for the Committee on Insurance, to whom was referred House Bill No. 162, An act relating to foreign



insurance companies and their agents, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Foreign Insurance Companies.* Amend section 18 of chapter 275 of the Public Laws, as amended by section 1, chapter 95, Laws of 1927, by striking out said section and inserting in place thereof the following: 18. *Insuring Through Agents.* Foreign insurance or surety companies, although authorized to transact business within this state, shall only make, write, place or cause to be made, written or placed, policies or contracts of insurance or suretyship which are to be effective within this state, through agents who are residents of this state and who are regularly commissioned and licensed to transact business herein.

2. *Companies Not Licensed to do Business in this State.* Amend said chapter 275 by adding after section 18 the following new sections: 18-a. *Purchase of Policy From.* Whenever any person residing within this state, or any corporation incorporated under the laws thereof, or any foreign corporation authorized to do business herein, shall purchase a policy or contract of insurance or suretyship from a company not licensed as required by the laws of this state, and which is to be effective on property, rights or risks within this state, unless such policy or contract of insurance or suretyship shall have been wholly made outside this state, or by mail, and not as the result of personal solicitation by any agent of such unlicensed company, or by the act of any other person performed within this state and unless the execution of such contract shall be contemplated to occur wholly without this state, including payment of premiums and adjustment and payment of loss, he or it shall forthwith report such purchase in detail to the insurance commissioner, and shall pay to the state treasurer an amount equal to four per centum of the gross premium paid for such policy or contract. In case of the failure to make the said report within thirty days from the date of the purchase of such policy or contract, instead of

four per centum the purchaser shall pay to the state treasurer an amount equal to eight per centum of the gross premium and the state treasurer may recover the same in any court of competent jurisdiction. 18-b. *Adjustment*. No adjustment with the policy or contract holder for a loss under any policy or contract where a payment to the state treasurer is required under the provisions of the preceding section shall be made unless and until the adjuster thereof shall have paid to the state treasurer one-half of one per cent of such adjustment, and the state treasurer may recover the same either from the adjuster or from the policy or contract holder in any court of competent jurisdiction. 18-c. *Penalty*. Any person or corporation, other than a purchaser of a policy or contract of insurance or suretyship, violating or failing to comply with any of the provisions of sections 18, 18-a or 18-b shall be fined not more than five hundred dollars or imprisoned not more than six months or both. If a purchaser of a policy or contract of insurance or suretyship shall wilfully violate or fail to comply with any of said provisions he shall be subject to the penalties prescribed herein. 18-d. *Examination of Records*. The insurance commissioner, or his duly authorized agent or agents, shall at all reasonable times have access to the books and records of any person residing, or any corporation doing business, within this state, for the purpose of ascertaining whether any of the provisions of sections 18, 18-a or 18-b have been violated, and upon application of the attorney general, at the request of said commissioner, the superior court shall have jurisdiction to issue writs of mandamus commanding any person or corporation so to exhibit his or its books or records for such examination. No person shall be excused from exhibiting his books or records for the reason that he may thereby incriminate himself; but no such books or records so exhibited shall, in any prosecution, be used as evidence, either directly or indirectly, against him nor shall he be thereafter prosecuted for any offense disclosed by such exhibition of his books or records.

Further amend said bill by renumbering section 2 to section 3.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Butler for the Committee on Judiciary, to whom was referred House Bill No. 384, An act relative to the management of the water works in the town of Peterborough, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Calef, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following committee report not previously advertised in the Journal.

Senator Calef for the Committee on Judiciary, to whom was referred House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

#### TAKEN FROM TABLE

On motion of Senator Doe, Senate Bill No. 11, An act relating to paupers, was taken from the table.

The question being stated, Shall the amendments offered by the committee be adopted?

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Settlement of Paupers.* Amend paragraph IX, section 1, chapter 105 of the Public Laws, as amended by section,

chapter 142, Laws of 1933, by striking out the same and inserting in place thereof the following: IX. *Payment of Taxes.* Any person of the age of twenty-one years who shall have resided in any town in this state seven years within the last ten years, and shall have paid all taxes legally assessed on his poll for seven years in succession or on real estate or personal property for four years in succession during the last ten years, shall thereby gain a settlement in such town.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading this afternoon at two o'clock.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 116, An act to provide for city, town, village district and regional planning boards.

House Bill No. 133, An act relating to injunctions in labor disputes.

House Bill No. 143, An act relating to municipal finances.

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 337, An act making appropriation for Hampton river jetties.

House Bill No. 350, An act relating to municipal water works.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

On motion of Senator Kelley, the Senate adjourned.

## THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 11, An act relating to the settlement of paupers.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects.

House Bill No. 384, An act relative to the management of the water works in the town of Peterborough.

On motion of Senator Carter, the Senate adjourned.

---

THURSDAY, APRIL 11, 1935.

The Senate met according to adjournment.

Senator Condon in Chair.

## LEAVE OF ABSENCE

Senator Alexander was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.

House Bill No. 328, An act relating to private employment agencies.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds.



The message further stated that the House of Representatives has refused to concur with the Honorable Senate in the passage of the following entitled bill sent down from the Honorable Senate.

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees.

The message further stated that the House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate.

WHEREAS, It appears that all necessary legislative work may be easily accomplished by Friday, May 3, instant, therefore be it

*Resolved*, By the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Friday, May 3, instant, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the Legislature, with the exception of such as have been referred to the next session of the Legislature, be indefinitely postponed.

On motion of Senator Cole, the foregoing resolution was laid upon the table.

The message further stated that the House of Representatives has voted to concur with the Senate in the adoption of the amendments offered by the Committee on Engrossed Bills, to the following bills sent down from the Honorable Senate:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,  
House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds.

To the Committee on Fisheries and Game,  
House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.

To the Committee on Labor,  
House Bill No. 328, An act relating to private employment agencies.

### COMMITTEE REPORTS

Senator Sanborn for the Committee on Agriculture, to whom was referred House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 33, An act relating to club licenses, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senator Butler for the Committee on Claims, to whom was referred Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the resolution referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 143, Joint resolution in

favor of Lillian M. White, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the resolution by striking out the words, "and mileage," after the word, "salary," in line 3 so that the resolution as amended will read as follows:

That the State Treasurer is hereby authorized and directed to pay to Lillian M. White, widow of John E. White, late of Keene, the full salary due said decedent as a member of the House of Representatives.

The report was accepted, amendment adopted and the bill as amended referred to the Committee on Finance under the rules.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the governor's contingent fund, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the resolution as amended ought to pass.

Amend said resolution by striking out the words "a warrant" in the eighth line and inserting in place thereof the words, his warrant for said sum.

The report was accepted, the amendment adopted and the resolution sent to the House of Representatives for concurrence in the Senate amendment.

#### RECONSIDERATION

On motion of Senator Manson, the rules were suspended to allow the reconsideration of the vote on House Bill No. 51, An act authorizing reimbursements to the State Laboratory of Hygiene.

On motion of the same Senator, the bill was recommitted to the Committee on Finance.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Burbank, the following resolution was adopted:

*Resolved*, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

#### BILL RETURNED FROM GOVERNOR

Pursuant to the above request, His Excellency the Governor returned to the Senate for further consideration House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Finance.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bill was read a third time and passed:

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

On motion of Senator Harrington, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Carter, the Senate adjourned.

FRIDAY, April 12, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., April 12, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, APRIL 15, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., April 15, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, APRIL 16, 1935.

The Senate met according to adjournment.

Senator Harrington in Chair.

#### LEAVES OF ABSENCE

Senator Alexander was granted leave of absence for the day on account of illness.

Senator Cole was granted leave of absence for the day on account of important business.



## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 323, An act in relation to investments by guardians.

House Bill No. 347, An act relating to town trustees of trust funds.

House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds.

House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes.

House Bill No. 408, An act relative to the New Hampshire Universalist State convention.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill and joint resolution.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Revision of Laws,

House Bill No. 323, An act in relation to investments by guardians.

House Bill No. 408, An act relative to the New Hampshire Universalist State convention.

To the Committee on Towns and Counties,

House Bill No. 347, An act relating to town trustees of trust funds.

To the Committee on Judiciary,

House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds.

On motion of Senator Brown, the rules were suspended, printing and reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

To the Committee on Judiciary,

House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes.

On motion of Senator Wiley, the rules were suspended, printing and reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 270, An act relating to the practice of chiropody.

House Bill No. 379, An act validating, ratifying, approving, and confirming bonds heretofore issued by the State and its political sub-divisions for public works projects.

House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough.

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

#### INTRODUCTION OF BILL

Senator Manson under suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the

following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture:

Senate Bill No. 51, An act to amend an act passed March 16th, 1935 to control the distribution and sale of milk.

On motion of Senator Doe, the rules were suspended and all business in order for two o'clock this afternoon was made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

---

WEDNESDAY, APRIL 17, 1935.

The Senate met according to adjournment.

Senator Doe in the Chair.

LEAVES OF ABSENCE

Senator Alexander was granted leave of absence for the day on account of illness.

Senator McLeod was granted leave of absence for the week on account of important business.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

Amend Section 1 of said bill by adding at the end of said section the following new paragraph:

X. "Eggs" shall mean hen's eggs.

On motion of Senator Barrett, the Senate concurred with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

House Bill No. 355, An act relative to the operation of motor vehicles.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Operation of Motor Vehicles; School Busses Marked.* Amend section 12 of chapter 103 of the Public Laws by striking out said section and inserting in place thereof the following: 12. *Street Cars; Motor Busses or Other Motor Vehicles.* The driver of a motor vehicle, approaching or passing a car of any street railway or a motor bus or other motor vehicle carrying school children which has been stopped to allow passengers to alight or embark, shall slow down such vehicle, and, if it be necessary for the safety of the public, shall bring it to a full stop. Motor busses or any other motor vehicles carrying school children shall be plainly marked on the rear of such vehicles with the words "school bus," said marking to be in letters not less than two inches in size.

On motion of Senator Cole, the Senate concurred with the House of Representatives in the amendment offered by the Committee on Engrossed Bills.

## READ AND REFERRED

The following entitled bill and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

To the Committee on Claims,

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

## COMMITTEE REPORTS

Senator Condon for the Committee on Liquor Laws, to whom was referred:

Senate Bill No. 45, An act relating to definition of terms used in the Liquor Laws.

Senate Bill No. 46, An act in amendment of Chapter 99, Section 32, of the Laws of 1933, relating to the sale of certain alcoholic beverages.

Senate Bill No. 47, An act in amendment to Chapter 3, Section 22 of the Laws of the Special Session of 1934, relating to an act to regulate the traffic in intoxicating liquor. Having considered the same, reported the same with the following resolutions:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and resolutions of the committee adopted.

Senator Manson for the Committee on the Revision of Laws, to whom was referred:



Senate Bill No. 36, An act to establish a two platoon system for the fire department of the city of Manchester.

House Bill No. 23, An act relating to cruelty to animals. Having considered the same, reported the same with the following resolutions:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and resolutions of the committee adopted.

Senator Manson for the Committee on Revision of Laws, to whom was referred Senate Bill No. 48, An act relating to descent, distribution and advancements, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Harrington for the Committee on Banks, to whom was referred House Bill No. 365, An act relating to deposits of cash by savings banks, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Bill of Sale Required.* No person shall transport live poultry which he has obtained from another from place to place along any public highway unless he has in his possession a bill of sale or other memorandum signed by the vendor, owner, or agent of the same, and containing the address of such vendor or owner, the date of sale or other transaction involving the transfer of possession, the breed, weight, price and approximate number of live poultry obtained.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the eleventh day of April, 1934, and authorizing said Farmington village precinct to fund or refund its indebtedness as represented by notes.

House Bill No. 135, An act requiring registers of deed and probate to report information to selectmen and assessors.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes.

#### INTRODUCTION OF BILLS

Senator Brown under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game:

Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt.

Senator Manson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation:

Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

The Chair declared a recess until 1:55 p. m.

The Senate re-assembled.

## INTRODUCTION OF BILLS

Senator Bouthillier under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture:

Senate Bill No. 54, An act relating to licenses for milk distributors.

Senator Condon under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Liquor Laws,

Senate Bill No. 55, An act relating to the traffic in intoxicating liquor.

On motion of Senator Brown, the Senate adjourned.

## AFTERNOON

## THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 365, An act relating to deposits of cash by savings banks.

Senate Bill No. 48, An act relating to descent, distribution and advancements.

On motion of Senator Manson, the Senate adjourned.

---

THURSDAY, APRIL 18, 1935.

The Senate met according to adjournment.

Senator Carter in Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following

entitled bills in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 88, An act relating to the administration of the motor vehicle law.

House Bill No. 206, An act relating to State, county and municipal contracts.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

House Bill No. 227, An act relating to grade crossings.

The message further stated that the House of Representatives has refused to concur with the Senate in the passage of the following bill:

Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 88, An act relating to the administration of the motor vehicle law.

House Bill No. 227, An act relating to grade crossings.

To the Committee on Labor,

House Bill No. 206, An act relating to State, county and municipal contracts.

To the Committee on Revision of Laws,

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

#### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom were referred:

House Bill No. 51, An act authorizing reimbursements to the State Laboratory of Hygiene.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills and joint resolutions were ordered to a third reading this afternoon at two o'clock.

Senator Marston for the Committee on Banks, to whom was referred House Bill No. 41, An act relative to building and loan associations, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Doe for the Committee on Education, to whom was referred:

House Bill No. 156, An act relating to school districts, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Schools in the City of Manchester.* The city of Manchester may include military drill, physical exercises and supervised athletics in its course of instruction for pupils in its public schools, and may raise and appropriate money for those purposes. When money is so raised for said purposes the regularly appointed school authorities shall regulate said activities.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relating to military drill for the schools in the city of Manchester.

The report was accepted, amendments adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Cole for the Committee on Judiciary, to whom was referred House Bill No. 25, An act relating to confiscation of



liquor or beverages in certain cases, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end of said section the words, Any liquor or beverages so forfeited to the state shall be disposed of in such manner as the court shall determine, so that said section as amended shall read as follows:

1. *Liquor and Beverages.* Amend chapter 3 of the Laws of the special session of 1934 by adding after section 31 the following new section: 31-a. *Forfeiture of.* Any person who is convicted of drunkenness, or of driving a motor vehicle under the influence of liquor, or of any violation of this act or of chapter 99, Laws of 1933, shall forfeit any liquor or beverages upon his person, or in said vehicle, if any, at the time of the commission of said offense, provided that this provision shall not apply to liquor or beverages legally in his possession for the purpose of sale. Any liquor or beverages so forfeited to the state shall be disposed of in such manner as the court shall determine.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

Senator Cole for the Committee on Judiciary to whom were referred:

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 321, An act relating to the terms of the Superior Court.

House Bill No. 376, An act relative to commitment to the State Hospital.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act to authorize the town of Webster to issue refunding notes and bonds, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at two o'clock.

Senator Cole for the Committee on Judiciary, to whom was referred:

House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service Commission, Having considered the same, reported the same with the recommendation that said bill be referred to the special committee appointed to study the problem of the revision of the public utility laws of this state and other laws affecting the powers and jurisdiction of the public service commission. The report was accepted and the recommendations of the committee were adopted.

Senator Cole for the Committee on Judiciary, to whom were referred:

House Bill No. 231, An act relating to New Hampshire Home Industries.

Senate Bill No. 17, An act relating to rates and charges of railroads and public utilities.

Senate Bill No. 18, An act relating to appointment of the People's Counsel, Having considered the same, reported the same with the following resolutions:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and the resolutions adopted.

#### RECESS

The Senate re-assembled.

On motion of Senator Sanborn, the rules were so far suspended as to allow the introduction of a committee report not previously advertised in the Journal.

Senator Sanborn for the Committee on Public Improvements, to whom was referred Senate Bill No. 38, An act providing for the acceptance of a gift from the New Hampshire-Vermont Lumber Company to the State for highway and park purposes and extending the Daniel Webster Highway, Having considered the same, reported the same in new draft and new title and recommended that the bill in new draft and new title ought to pass. The report was accepted and the

bill laid upon the table to be printed and referred to the Committee on Finance under the rules.

#### INTRODUCTION OF BILL

Senator Butler under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Revision of Laws,

Senate Bill No. 56, An act relating to liability of towns.

On motion of Senator Doe, all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 51, An act authorizing reimbursements to the State Laboratory of Hygiene.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon.

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 156, An act relating to military drill for the schools in the city of Manchester.

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 321, An act relating to the terms of the Superior Court.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act to authorize the town of Webster to issue refunding notes and bonds.

On motion of Senator Knowlton, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adjourned.

---

FRIDAY, APRIL 19, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., April 19, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,

*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, APRIL 22, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., April 22, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,

*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

TUESDAY, APRIL 23, 1935.

The Senate met according to adjournment.  
Senator Doe in the Chair.

## LEAVES OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of important business.

Senator Roberts was granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 301, An act relating to the Public Service Commission.

House Bill No. 375, An act relative to paroled prisoners.

House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damage done by bears.

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the joint resolution, Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 318, An act relating to the buying and selling of live poultry to be used for food.



On motion of Senator Butler, the following resolution was adopted:

*Resolved*, That the President appoint a committee of three members of the Senate to meet with a committee of three appointed by the House for the consideration of federal legislation now pending in Congress relating to old age pensions and to make such recommendations as may be deemed necessary to secure to this State the benefit of such federal legislation.

Pursuant to the foregoing resolution, the President appointed as members on the part of the Senate, Senators Harrington, Doe and Cole.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Revision of Laws,

House Bill No. 301, An act relating to the Public Service Commission.

To the Committee on Judiciary,

House Bill No. 375, An act relative to paroled prisoners.

To the Committee on Finance,

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition.

To the Committee on Claims,

House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damage done by bears.

#### COMMITTEE REPORTS

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 225, An act relating to levy of executions on real estate, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Homestead Right.* Amend section 6 of chapter 214 of the Public Laws by striking out said section and inserting in place thereof the following: 6. *Levy.* The officer required to levy an execution on the debtor's property, in which a homestead right may exist, may levy the execution and set off or sell said property in accordance with the provisions of chapter 345 of the Public Laws, subject to any such homestead right.

2. *Repeal.* Sections 7 to 15 inclusive of chapter 214 of the Public Laws, relative to the procedure in setting off the homestead right in a levy of execution, are hereby repealed.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 41, An act relative to building and loan associations, Having considered the same, reported the same under joint rule No. 6, with amendment and recommended that the bill as amended ought to pass.

The report was accepted.

On motion of Senator Harrington, the bill with the attached report was laid upon the table.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Cole, the following resolution was adopted:

*Resolved,* That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 321, An act relating to the terms of the superior court.

#### BILL RETURNED FROM THE GOVERNOR

Pursuant to the foregoing resolution, His Excellency, the Governor, returned to the Senate for further consideration

the following entitled bill, House Bill No. 321, An act relating to the terms of the superior court.

On motion of Senator Cole, the rules were so far suspended as to allow the reconsideration of the vote on House Bill No. 321, An act relating to the terms of the superior court.

On motion of the same Senator, the vote whereby the foregoing entitled bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing entitled bill was ordered to a third reading was reconsidered.

On motion of the same Senator, the bill was recommitted to the Committee on Judiciary.

On motion of Senator Martel, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### INTRODUCTION OF BILL

Senator Sanborn, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Finance, Senate Bill No. 57, An act to amend section 5 of Chapter 83 of the Public Laws.

On motion of Senator Knowlton, the Senate adjourned.

---

WEDNESDAY, APRIL 24, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes and bonds.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills and joint resolution:

House Bill No. 25, An act relating to confiscation of liquor in certain cases.

House Bill No. 156, An act relating to school districts.  
House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

House Bill No. 144, An act regarding the weekly payment of wages.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following joint resolution, in the adoption of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

Amend said resolution by inserting after the word "governor" in the twelfth line the words, by and with the advice and consent of the council.

On motion of Senator Doe, the Senate concurred in the amendment offered by the Committee on Engrossed Bills.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Labor,

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes and bonds.

On motion of Senator Manson, the rules were suspended, reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

## COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 88, An act relating to the administration of the motor vehicle law, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Butler, for the Committee on the Judiciary, to whom was referred House Bill No. 227, An act relating to grade crossings, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

## REPORT OF THE COMMITTEE OF CONFERENCE

The Committee of Conference on House Bill No. 111, An act in relation to tax collectors, recommends that the House adhere to its position of non-concurrence.

HARRY MANSON,  
HAVEN DOE,

*Senate Conferees.*

WILLIAM J. NEAL,  
JOHN J. O'REILLY, JR.,  
DIXON F. VANCORE,  
CARL M. FOGG,  
LEON E. WISWALL,

*House Conferees.*

The question being stated, Shall the report of the Committee of Conference be adopted?

On a *viva voce* vote, the affirmative prevailed and the report was adopted.

## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 78, An act relating to the sale of eggs at re-



tail or wholesale, defining fresh eggs and requiring markings of size.

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

House Bill No. 365, An act relating to deposits of cash by savings banks.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 387, An act relating to the practice of optometry.

HAVEN DOE,  
*For the Committee.*

#### INTRODUCTION OF BILLS

Senator Barrett, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills, which were read a first and second time, laid upon the table to be printed and referred:

To the Committee on the Judiciary,  
Senate Bill No. 58, An act relating to peddlers.

To the Committee on Liquor Laws,  
Senate Bill No. 59, An act relating to the sale of beer.  
Senate Bill No. 60, An act relating to wholesalers of beer.

On motion of Senator Roberts, the following resolution was adopted:

*Resolved*, That the Honorable Senate grant the request of the State Board of Education for the use of the Senate Chamber for state examinations for nurses on Friday and Saturday of this week.

On motion of Senator Kelley, the Senate adjourned.

#### AFTERNOON

#### COMMITTEE REPORT

On motion of Senator Calef, the rules were so far suspended as to permit the introduction of a committee report not previously advertised in the journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 227, An act relating to grade cross-

ings, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at 11 o'clock.

On motion of Senator Calef, the rules were further suspended and the bill was ordered to a third reading and final passage at the present time.

On motion of Senator Marston, the following resolution was adopted:

WHEREAS, All passenger trains of the Boston and Maine Railroad will run on a schedule advanced one hour, effective on and after April 28th, be it hereby

*Resolved*, That the Senate meet on working days at ten o'clock for the morning session and one o'clock for the afternoon session, for the remainder of the session.

#### THIRD READINGS

The following entitled bill was read a third time and passed:

House Bill No. 88, An act relating to the administration of the motor vehicle law.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet Friday morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Roberts, the Senate adjourned.

---

#### FRIDAY, APRIL 26, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., April 26, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, APRIL 29, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., April 29, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, APRIL 30, 1935.

The Senate met according to adjournment.

Senator Alexander in the Chair.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 338, An act relating to false statement of age by minors.

House Bill No. 389, An act establishing the office of State Veterans Service officer.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 419, An act relating to the salaries of the Commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meetings in the town of Stewartstown.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 225, An act relating to levy of execution on real estate.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

The message further stated that the House of Representatives has voted to accept the report of the Committee of Conference to the following entitled bill:

House Bill No. 111, An act in relation to tax collectors.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Liquor Laws,

House Bill No. 338, An act relating to false statement of age by minors.

To the Committee on Finance,

House Bill No. 389, An act establishing the office of State Veterans Service Officer.

To the Committee on the Judiciary,

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 419, An act relating to the salaries of the Commissioners of the County of Rockingham.

House Bill No. 421, An act relating to special town meetings in the town of Stewartstown.

## COMMITTEE REPORTS

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 227, An act relating to grade crossings, Having considered the same reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "substituting therefor" in the second line and inserting in place thereof the words, inserting in place thereof.

Further amend said section 1 by adding at the end of said section the words, The cost to the State of such apportionment shall be a charge upon the highway funds.

The report was accepted, amendments adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Butler for the Committee on the Judiciary, to whom was referred:

House Bill No. 280, An act relative to transfer of ownership of automobiles,

Senate Joint Resolution No. 12, Joint resolution to change the ward lines of Ward 8 in Concord and other wards affected by said change, Having considered the same, reported the same with the following resolution:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and the resolutions adopted.

Senator Butler for the Committee on Judiciary, to whom were referred:

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags,

House Bill No. 375, An act relative to paroled prisoners, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at 1 o'clock.

Senator Manson for the Committee on Revision of Laws, to whom were referred:

House Bill No. 408, An act relative to the New Hampshire Universalist State convention,



House Bill No. 369, An act relating to exemption from taxation of property owned by the blind,

Senate Bill No. 56, An act relating to liability of towns, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at 1 o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 26, An act relating to the sale of liquor, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at 1 o'clock.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the resolution was referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 88, An act relating to the administration of the motor vehicle law, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 5 of said bill by striking out the words "section 4 of this act" and inserting in place thereof the following words, and figures, sections 57 and 58 of chapter 100 of the Public Laws.

The report was accepted, amendment adopted and the bill

sent to the House of Representatives for concurrence in the Senate amendment.

#### INTRODUCTION OF BILL

Senator Carter under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing entitled bill was read a third time and passed.

On motion of Senator Bailey, the Senate adjourned.

#### AFTERNOON

##### ORDER VACATED

Senator Carter offered the following resolution:

*Resolved*, That the order whereby House Bill No. 389, An act establishing the office of State Veterans Service officer, was referred to the Committee on Finance be vacated and the bill be referred to the Committee on Military Affairs.

The question being stated:

Shall the resolution be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

##### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 156, An act relating to military drill for the schools in the city of Manchester.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 227, An act relating to railroad grade crossings.

House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds.

House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds.

House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes or bonds.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

HAVEN DOE,  
*For the Committee.*

#### THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 56, An act relating to liability of towns.

House Bill No. 26, An act relating to the sale of liquor.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

House Bill No. 375, An act relative to paroled prisoners.

House Bill No. 408, An act relative to the New Hampshire Universalist State convention.

On motion of Senator Condon, the Senate adjourned.

---

WEDNESDAY, MAY 1, 1935.

The Senate met according to adjournment.

Senator Alexander in the Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolutions:

House Bill No. 101, An act relating to the duties of town tax collectors.

House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 227, An act relating to grade crossings.

House Bill No. 88, An act relating to the administration of motor vehicle law.

## READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 101, An act relating to the duties of town tax collectors.

To the Committee on Claims,

House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin.

To the Committee on Public Health,

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

## COMMITTEE REPORTS

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 301, An act relating to

the Public Service Commission, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Manson for the Committee on Revision of Laws, to whom was referred Senate Bill No. 34, An act relating to power boats and outboard motors, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Sanborn for the Committee on Agriculture, to whom were referred:

Senate Bill No. 51, An act to amend an act passed March 16th, 1935 to control the distribution and sale of milk,

Senate Bill No. 54, An act relating to licenses for milk distributors, Having considered the same, reported the same with the following resolution:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and the resolutions adopted.

Senator Sanborn for the Committee on Public Improvements, to whom was referred Senate Bill No. 31, An act relating to the bridge over the Bellamy river, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution was adopted.

Senator Sanborn for the Committee on Public Improvements, to whom was referred Senate Bill No. 44, An act relating to the naming of certain bridges, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 55, An act relating to the traffic in intoxicating liquor, Having considered the same, re-



ported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Condon for the Committee on Liquor Laws, to whom were referred:

Senate Bill No. 59, An act relating to the sale of beer,

Senate Bill No. 60, An act relating to wholesalers of beer,  
Having considered the same, reported the same with the following resolution:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and the resolutions adopted.

Senator Kelley for the Committee on Forestry, to whom was referred House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 42, An act in amendment of the charter of the city of Concord, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and adopt the following amendments:

Amend section 14 of said bill by striking out the same and inserting in place thereof the following: 14. No commissioner shall hold any office in the government of the city of

Concord nor in any department of said city during his term of office as said commissioner.

Amend section 16 of said bill by striking out the same and inserting in place thereof the following: 16. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,  
CHARLES F. BUTLER,  
*Senate Conferees.*

WILLIAM J. AHERN,  
DONALD W. SALTMARSH,  
ROBERT H. SANDERSON,  
*House Conferees.*

The report was accepted and the amendments adopted.

#### ORDER VACATED

Senator Doe offered the following resolution:

*Resolved,* That the order whereby House Bill No. 301, An act relating to the Public Service Commission, was referred to the Committee on Finance be vacated and the bill be ordered to a third reading this afternoon at one o'clock.

The question being stated:

Shall the resolution be adopted?

On a *viva voce* vote the affirmative prevailed and the foregoing entitled bill was ordered to a third reading this afternoon at one o'clock.

#### INTRODUCTION OF BILL

Senator Roberts under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health:

Senate Bill No. 62, An act relative to the membership of the State cancer commission.

On motion of Senator Kelley, the Senate adjourned.

## AFTERNOON

## INTRODUCTION OF BILLS

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws:

Senate Bill No. 63, An act relative to licenses for druggists to sell liquor.

Senator Harrington under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Banks:

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

Senator Manson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Bill No. 65, An act relating to the closing of highway crossings.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has adopted the report of the Committee of Conference to the following entitled bill, House Bill No. 42, An act in amendment to the charter of the city of Concord.

## COMMITTEE REPORT

On motion of Senator Calef, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading at 10 o'clock to-morrow morning.

On motion of the same Senator, the rules were further suspended and the foregoing entitled bill was read a third time and passed.

#### BILL RECALLED FROM THE GOVERNOR

On motion of Senator Harrington, the following resolution was adopted:

*Resolved*, That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 41, An act relating to building and loan associations.

#### BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency the Governor returned to the Senate for further consideration House Bill No. 41, An act relating to building and loan associations.

On motion of the same Senator, the rules were so far suspended as to allow reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Banks.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

House Bill No. 301, An act relating to the Public Service Commission.

Senate Bill No. 44, An act relating to the naming of certain bridges.

Senate Bill No. 55, An act relating to the traffic in intoxicating liquor.

On motion of Senator Sanborn, the Senate adjourned.

---

THURSDAY, May 2, 1935.

The Senate met according to adjournment.

Senator Alexander in Chair.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance.

House Bill No. 305, An act to revise and amend the fish and game laws.

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 413, An act relating to the powers of the superior court.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey



in the establishment and maintenance of stream flow gauging stations.

House Bill No. 221, An act relating to transportation of members of the legislature.

#### READ AND REFERRED

The following entitled bills and joint resolution sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 413, An act relating to the powers of the superior court.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

To the Committee on Public Improvements,

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance.

To the Committee on Finance,

House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

To the Committee on Transportation,

House Bill No. 221, An act relating to transportation of members of the legislature.

To the Committee on Fisheries and Game,

House Bill No. 305, An act to revise and amend the fish and game laws.

## COMMITTEE REPORTS

Senator Marston for the Committee on Banks, to whom was referred House Bill No. 41 (in new draft), An act relative to Building and Loan Associations, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all of said bill after section 3 and inserting in place thereof the following:

4. *Loans.* Amend said chapter 266 by adding after section 10 the following new section: 10-a. *Direct Reduction Loans.* It may also make loans on real estate on the direct reduction plan repayable in monthly installments sufficient to amortize the same, paying off interest and principal in any period of time not exceeding twenty years.

5. *Rights of Shareholders.* Amend said chapter 266 by adding at the end of said chapter the following new section: 33. *Liquidation.* All shareholders shall have the same status as to the assets of the association and in case of liquidation one class of stock shall not have preference over any other class of stock.

6. *Supervision of Building and Loan Associations.* Amend chapter 259 of the Public Laws by adding after section 5 the following new sections: 5-a. *Deputy Commissioner for Building and Loan Associations.* One of the examiners in the office of the bank commissioner shall be designated by the governor and council as deputy commissioner for building and loan associations at an additional annual salary of two hundred and fifty dollars. Said deputy, under the direction of the bank commissioner, shall have general supervision over building and loan associations, co-operative banks and similar institutions and shall have such other powers and duties as the bank commissioner may prescribe.

7. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill referred to the Committee on Finance under the rules.

Senator Marston for the Committee on Banks, to whom was referred:

House Bill No. 326, An act relating to Fiduciary Powers of Trust Companies and National Banks, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and by inserting in lieu thereof the following:

1. *Appointment.* Amend section 13 of chapter 264 of the Public Laws, as amended by chapter 135 of the Laws of 1927, by striking out the words "when so nominated by any testator in his will" and adding a new sentence at the end thereof "Nothing herein contained shall affect the rights of religious, charitable and eleemosynary corporations organized under the laws of New Hampshire to act in fiduciary capacities" so that said section 13, as amended, will read as follows: 13. *Appointment.* Any trust company or similar corporation, incorporated under the laws of this State, or any national bank duly authorized and located within the State, may be appointed trustee or executor in any case where an individual can be appointed, upon the same conditions and subject to the same control, requirements and penalties; but no corporation shall be appointed in any other fiduciary capacity. No trust company, similar corporation or national bank shall advertise or circularize the fact that it is authorized to act as executor. Nothing herein contained shall affect the rights of religious, charitable and eleemosynary corporations organized under the laws of New Hampshire to act in fiduciary capacities.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill ordered to a third reading this afternoon at one o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 328, An act relating to private employment agencies, Having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution was adopted.

Senator Butler for the Committee on Judiciary, to whom

were referred House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Judiciary, to whom were referred House Bill No. 419, An act relating to the salaries of the Commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meeting in the town of Stewartstown, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Joint Committee on Public Improvements and Finance to whom was referred Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred Senate Bill No. 38 (in new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber Company to the State of New Hampshire for the purpose of a state forest reservation and park and the construction of a road to the Canadian border, Having considered the same, reported the same in new draft and recommended its passage.

The report was accepted.

The question being stated, Shall the bill be read a third time?

(Discussion ensued)

On a *viva voce* vote, the affirmative prevailed and the bill was ordered to a third reading this afternoon at one o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 26, An act relating to the sale of liquor.

House Bill No. 42, An act in amendment of the charter of the city of Concord.

House Bill No. 346, An act providing for an excise tax on margarine made of imported oils and fats.

House Bill No. 355, An act relative to the operation of motor vehicles.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

House Bill No. 375, An act relative to paroled prisoners.

House Bill No. 408, An act relative to the New Hampshire Universalist State Convention.

HAVEN DOE,  
*For the Committee.*

#### NOTICE OF RECONSIDERATION

Senator Condon served notice that today or on some subsequent date he would ask for a reconsideration of the vote on



Senate Bill No. 55, An act relating to the traffic in intoxicating liquor.

## RECESS

The Senate reassembled.

President Dale assumed the Chair and addressed the members, expressing his appreciation of the progress of the Senate under the capable leadership of Senator Alexander and further expressed his sincere appreciation of the thoughtfulness of the Senators in sending flowers and messages to him during his illness.

## RECESS

The Senate reassembled.

Senator Alexander in the Chair.

On motion of Senator Brown, all business in order for this afternoon at one o'clock was made in order at the present time.

## THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 38 (in new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber Company to the State of New Hampshire for the purpose of a state forest reservation and park and the construction of a road to the Canadian border.

House Bill No. 419, An act relating to the salaries of the commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meeting in the town of Stewartstown.

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

On motion of Senator Sanborn, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Manson, the Senate adjourned.

---

FRIDAY, MAY 3, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., May 3, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MAY 6, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., May 6, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

A. C. ALEXANDER,  
*President Pro Tem.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

TUESDAY, MAY 7, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator McLeod was granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 83, An act relating to Cornish toll bridge.

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett et als.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills.

Senate Bill No. 48, An act relating to descent, distribution and advancements.

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

## READ AND REFERRED

The following entitled bills and joint resolutions were read a first and second time and referred:

To the Committee on Claims,

House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett et als.

To the Committee on Coastwise Improvements,

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

To the Committee on Public Improvements,

House Bill No. 83, An act relating to Cornish toll bridge.

To the Joint Committee on Public Improvement and Finance.

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

To the Committee on Judiciary,

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

On motion of Senator Carter, the order was vacated and the bill was laid upon the table.

## COMMITTEE REPORTS

Senator Condon for the Committee on Labor, to whom was referred House Bill No. 206 (in new draft and new title), An act relative to State, county and municipal contracts, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 2 of the bill by inserting in line 8, after the word "state" the following: and who so far as practicable employ resident laborers of the State; so that said section as amended shall read:

2. *Preference.* In the award of any contract by any state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state and who so far as practicable employ resident laborers of the state, shall be preferred except where the added cost from such preference would be clearly burdensome. The decision of the state, county or municipal agency upon this issue shall be final.

Further amend said bill by striking out the whole of section 3 and renumbering section 4 so that it will read section 3.

The report was accepted, amendments adopted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 196, An act relating to the administration of anesthetics, Having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

#### OPINION OF THE SUPREME COURT

The following opinion regarding the constitutionality of Senate Bill No. 37, An act relating to compensation for motor vehicle accidents, was received from the Supreme Court. *To the Honorable Senate:*

The undersigned, the justices of the supreme court, answer your inquiry relative to Senate Bill No. 37 as follows:

The commission proposed by the bill is intended to be an executive tribunal, and not a court within the judiciary department of the state government. The bill proposes to confer upon the commission power to adjudicate certain disputes of a legal character between individuals. A question arises whether such power may be thus vested constitutionally.

Article 37 of the bill of rights in the state constitution declares that the powers of the three branches of government, legislative, executive, and judicial, "ought to be kept as separate from, and independent of each other, as the nature of



free government will admit, or as is consistent with" the unity of the whole.

The reasons for this separation of governmental departments do not here need discussion beyond saying that when the constitution was founded they were urgent and insistent. Historical antecedence and political philosophy made the demand for them imperative. No change in this fundamental principle has taken place. *Opinion of the Justices*, 85 N. H. 562, 569.

It is consistent with the constitution that executive officers should be vested with some judicial power. It is not only convenient but necessary that it be given, in order that government may function.

But it must be power needed to enable them to perform their executive duties. It may not be given them merely because it is thought that efficiency and convenience in the administration of a statute will be promoted thereby. "The government has no needs of action in violation of the constitution." *Goodrich Falls Co. v. Howard*, 86 N. H. 512, 521.

In the connection between the departments some overlapping is permissible, and there is a region of authority, alternative and concurrent, the boundaries of which are fixed by no final rule. As a rule which meets most situations, when an executive board has regulatory functions, it may hear and determine controversies which are incidental thereto, but if the duty is primarily to decide questions of legal right between private parties, the function belongs to the judiciary. Courts of justice, in their popular sense, may not be set up and established in the executive organization. They pertain exclusively to the branch of the judiciary.

Under this rule the grant or reservation of judicial review of the decisions of an administrative board does not change the character of the decisions. If they are of judicial nature, because performed in the exercise of the strict judicial function, an undertaking to give authority to the courts to review them and to correct the board's errors of law, does not validate the board's authority. An administrative board may

proclaim only administrative judgments. If they may be judicially reviewed, the right to have them reviewed does not transform them into judicial judgments, although the review and action therein is judicial. But a valid administrative judgment has the same force of obligation and finality as a judicial one. The view sometimes adopted that the right of appeal to the courts, either in wide or limited measure, saves action of an executive board from a valid charge of judicial invasion, is not considered to be sound in principle. Authority to correct its errors does not alter the character of its undertaking. "The nature of the final act determines the nature of the previous inquiry." *Prentiss v. Atlantic Coast Line*, 211 U. S. 210, 227.

The question how far there may be administrative finality may invoke constitutional issues, but not on the assignment of governmental powers.

The creation of an executive board is justified if its service is to determine and maintain a public right or interest. To accomplish its purposes judicial powers may be necessarily exerted. But they must concern matters of an executive character. They are proper if it may fairly be said that there is need of them in order to produce an efficient and effective administrative enforcement of the public interest.

By way of illustration, taxation is a branch of governmental maintenance. The general charge, control and conduct of taxation is executive. An assessment against a taxpayer is a judgment (*Jaffrey v. Smith*, 76 N. H. 168, 171), and so is the abatement of a tax by selectmen (*Melvin v. Weare*, 56 N. H. 436, 439). But they are administrative acts because they are performed in pursuance of executive duties. The authority of the courts to entertain appeals in respect to them is judicial because the rights of litigants are then of sole consideration. Enforcement of the public interest is displaced by the administration of justice. The fact that the same question may be passed upon by both executive and judicial tribunals shows that it is not the question itself, but how it arises, that determines its allocation for determination.

When assessing boards determine contests between the state,

or its subdivisions, and the taxpayers, they do so in their administrative capacity, and not as courts. If the contests are for practical purposes regarded as trials between litigants, they are so necessarily incident to the enforcement of taxation as to be a part of the enforcement. Performance of the duty to tax calls for an assessment upon each taxpayer, and to hear a taxpayer upon his assessment is within the duty. Whether the decision has finality, or whether there may be an appeal, general or upon restricted issues, to the courts, is to be determined by declared legislative policy. So far as appeals are authorized, their consideration is an exercise of the judicial arm of government.

A public interest to set up in the executive department a court of justice does not warrant a violation of the constitutional order prohibiting it. However much the vesting of the control of private litigation in an administrative board may be thought to aid in the maintenance of some public policy, it is not permissible. It is as much forbidden as it is to require a court to take on executive functions. An administrative officer in the discharge of his duties may have occasion to interpret and apply a law in order to enforce it, but he can have no such occasion in order to determine the rights of private litigants, since he may not be constitutionally authorized to take jurisdiction in respect to them.

The consent or willingness of the litigants to submit their disputes to the official or board is beside the point. The constitution denying the power of the legislature to confer jurisdiction, it may not be conferred by private authority. Action taken by consent might be valid as an unofficial arbitration, but the decision would have no force as a judgment. There would be no power to act in an official capacity.

One purpose of the bill is to induce motor vehicle insurance as an indirect protection to highway travellers, by imposing certain burdens upon uninsured owners. The argument is made that the legislature, in its power to regulate, may prescribe the terms upon which motor vehicles may be operated on the highways. But the terms must be constitutional. A term that one must submit to an unconstitutional

court is invalid. There can be no valid existence of the court. The constitution regulates the power of the legislature to regulate. The police power is not so predominant as to be uncontrolled.

Whatever the borderland of doubt and interchange, argument seems unneeded to demonstrate that the function of trying and deciding litigation is strictly and exclusively for the judiciary when it is between private parties, neither of whom seeks to come under the protection of a public interest and to have it upheld and maintained for his benefit. The function cannot be executive unless executive activity may embrace litigation in general. If the proposed jurisdiction might be bestowed, the limits of executive authority would be almost without bounds and indefinite encroachment on judicial power would be possible.

In its plan for an executive tribunal to adjudicate private litigation the bill is considered to contain a fundamentally invalid proposal.

If the bill were redrafted to assign to the charge of the judiciary the litigation for which it seeks to provide, some parts of it might raise other constitutional issues. But there appears to be no occasion to consider it thus changed. The general plan of the bill resting upon a basic defect, it is understood that no answer is sought upon an assumption of a cure of the defect.

JOHN E. ALLEN,  
THOMAS L. MARBLE,  
OLIVER W. BRANCH,  
PETER WOODBURY,  
ELWIN L. PAGE.

May 6, 1935.

#### RECONSIDERATION

On motion of Senator Condon, the rules were so far suspended as to allow the reconsideration of a vote on the following entitled bill:

Senate Bill No. 55, An act relating to the traffic in intoxicating liquor.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Liquor Laws.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Calef, the following resolution was adopted:

*Resolved*, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 301, An act relating to the Public Service Commission.

#### BILL RETURNED FROM GOVERNOR

Pursuant to the above request, His Excellency the Governor returned to the Senate for further consideration House Bill No. 301, An act relating to the Public Service Commission.

On motion of the same Senator the rules were so far suspended as to allow a reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the foregoing entitled bill was recommitted to the Committee on Finance.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bill was read a third time and passed:

House Bill No. 206 (in new draft and new title), An act relative to State, county and municipal contracts.

On motion of Senator Manson, the Senate adjourned.



WEDNESDAY, MAY 8, 1935.

The Senate met according to adjournment.  
Senator Alexander in the Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Joint Committee on Public Improvements and Finance,

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelly's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

To the Committee on Claims,

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 88, An act relating to the administration of the motor vehicle law.

House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

House Bill No. 419, An act relating to the salaries of the commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meeting in the town of Stewartstown.

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Senate Bill No. 48, An act relating to descent, distribution and advancements.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

HARRY MANSON,  
*For the Committee.*



## INTRODUCTION OF JOINT RESOLUTION

Senator Harrington under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary:

Senate Joint Resolution No. 14, Joint resolution for an unpaid Commission on Interstate Cooperation.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon was made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

---

THURSDAY, MAY 9, 1935.

The Senate met according to adjournment.

Senator Alexander in the Chair.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 395, An act relating to municipal courts.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 74, Joint resolution for the improvement of the Province road in Barnstead.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

The message further stated that the House of Representatives returns herewith House Bill No. 206, An act relating to State, county and municipal contracts, for the purpose of correction in amendments.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Judiciary,

House Bill No. 395, An act relating to municipal courts.

To the Committee on Claims,

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

To the Joint Committee on Public Improvements and Finance.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 74, Joint resolution for the improvement of the Province road in Barnstead.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

### COMMITTEE REPORTS

Senator Butler for the Committee on Judiciary, to whom were referred:

Senate Bill No. 58, An act relating to peddlers,

House Bill No. 321, An act relating to the terms of the superior court, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The reports were accepted and resolutions adopted.

Senator Butler for the Committee on Judiciary, to whom were referred:

House Bill No. 101, An act relating to the duties of town tax collectors,

House Bill No. 412, An act relating to register of deeds for Strafford county,

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators,

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted, recommendations adopted and



the bills ordered to a third reading this afternoon at one o'clock.

Senator Sanborn for the Committee on Public Improvements, to whom were referred:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance,

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance,

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes,

House Bill No. 372, An act laying out a highway on Kearsarge mountain, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted, recommendations adopted and the bills were referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Revision of Laws, to whom was referred Senate Bill No. 37, An act relating to compensation for motor vehicle accidents, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the bill having been declared unconstitutional by the supreme court.

The report was accepted and the resolution adopted.

Senator Marston for the Committee on Banks, to whom was referred Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted, recommendations adopted and the bill ordered to a third reading this afternoon at one o'clock.

#### TAKEN FROM THE TABLE

On motion of Senator Carter, House Bill No. 423, An act repealing an act amending the charter of the city of Nashua, was taken from the table.

The question being stated.

On motion of Senator Carter, the order whereby the bill was referred to the Committee on Judiciary was vacated and the rules suspended and the foregoing entitled bill was read a third time and passed.

#### RECONSIDERATION

On motion of Senator Carter, the rules were so far suspended as to allow the reconsideration of the vote on House Bill No. 206 (in new draft and new title), An act relating to State, county and municipal contracts.

On motion of the same Senator, the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On motion of Senator Carter, the following amendment was adopted.

Amend section 2 of the bill by striking out all of said section and inserting in place thereof the following:

2. *Preference.* In the award of any contract by any state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest responsible bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state and who so far as practicable employ resident laborers of the state, shall be preferred except where the added cost from such preference would be clearly burdensome. The decision of the state, county or municipal agency upon this issue shall be final.

Further amend said bill by striking out the whole of section 3 and renumbering section 4 so that it will read section 3. And the bill was ordered to a third reading this afternoon at one o'clock.

On motion of the same Senator, the rules were suspended and the bill was read a third time and passed.

#### INTRODUCTION OF JOINT RESOLUTION

Senator Kelley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution which was read a first and sec-

ond time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance.

Senate Joint Resolution No. 15, An act to provide for the purchase of certain land adjoining the State armory in Berlin.

On motion of Senator Condon, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bills were read a third time and passed:

House Bill No. 101, An act relating to the duties of town tax collectors.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

On motion of Senator Sanborn, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Roberts, the Senate adjourned.

---

FRIDAY, MAY 10, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., May 10, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MAY 13, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., May 13, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MAY 14, 1935.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE

Senator Bailey was granted leave of absence for the day on account of important business.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 330, An act relating to the taking of fish from certain waters.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expenses in replacing the Ledyard bridge across the Connecticut river.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in the passage of the following entitled bills with amendments, in which amendments the House of Representatives asked concurrence of the Honorable Senate.

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster.

Amend section 1 by striking out the whole thereof and inserting in its place the following:

1. Amend paragraph V, section 1 of chapter 200 of the Public Laws by adding after said paragraph a new paragraph to read as follows:

V-a. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in one day a total of more than two pounds of trout regardless of species, provided that if he has taken less than two pounds he shall be entitled to one additional fish.

On motion of Senator Cole, the bill was referred to the Committee on Fisheries and Game.

Senate Bill No. 42, An act relative to Penacook union school district.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. *Dissolution of District.* The territory embraced within former Boscawen Special School District, now a part of Penacook Union School District, as established by chapter 239, Laws of 1909, may be withdrawn from said union district in the manner set forth.

2. *Special Meeting.* Upon application of twenty-five or more of the hereinafter described residents of the territory embraced within said Boscawen Special School District, any justice of the peace may call a meeting of the residents of said special district entitled to vote in school district meetings, in the same manner as other school district meetings are called, to vote upon the question of withdrawing from



said union district. At such meeting a moderator and clerk may be chosen. No valid action can be taken at said meeting unless a majority of the residents entitled to vote therein are present at said meeting and a record of that fact made by the clerk.

3. *Application of Laws.* If said residents vote in the affirmative to withdraw from said union district the procedure for this dissolution of said union district shall be as provided in chapter 119 of the Public Laws, sections 44 to 50 inclusive.

4. *Penacook School District.* The territory embraced within the former Penacook School District in the city of Concord, now a part of Penacook Union School District, may be withdrawn from said union district with the same procedure and in the same manner as hereinbefore set forth for the withdrawal of the Boscawen Special School District.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Senator Alexander, the Senate voted to concur in the amendment sent down from the House of Representatives.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asked the concurrence of the Honorable Senate.

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the directors of the Young Men's Christian Association of Nashua.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *Young Men's Christian Association of Nashua.* Amend section 2 of chapter 213 of the Laws of 1891 by striking out said section and inserting in place thereof the following:

Amend section 2 of said bill by adding after the word "chapter" in the first line the figures 213.

On motion of Senator Carter, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

Amend section 1 of said bill by striking out the first five lines of said section and inserting in place thereof the following:

1. *Brands.* Amend section 10 of chapter 170 of the Public Laws, as amended by chapter 37, Laws of 1931, by striking out said section and inserting in place thereof the following: 10. *Registering.* A person engaged

Further amend said section 1 by striking out the words "said description has been filed" and inserting in place thereof the words, his principal place of business is situated.

Amend section 3 of said bill by striking out the first line thereof and inserting in place thereof the following:

3. *Amendment.* Amend section 13 of said chapter 170 by adding before the word "junk" in the fourth line the words, milk dealer, and by adding

On motion of Senator Sanborn, the Senate voted to concur in the amendments offered by the Committee on Engrossed Bills.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Fisheries and Game,

House Bill No. 330, An act relating to the taking of fish from certain waters.

To the Committee on Finance,

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expenses in replacing the Ledyard bridge across the Connecticut river.

## COMMITTEE REPORTS

Senator Bouthillier for the Committee on Coastwise Improvements to whom was referred House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Calef for the Committee on Finance, to whom were referred House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire Building at the Eastern States Exposition.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood, and Nellie F. Hagerty.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 41 (in new draft), An act relative to building and loan associations, Having considered the same, reported the same without amendments and recommended their passage.

The reports were accepted and the foregoing entitled bills and joint resolutions were ordered to a third reading this afternoon at one o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend Subsection II of Section 1 of Chapter 179A of the

Public Laws as inserted by Section 1 of said bill by striking out said subsection and inserting in place thereof the following:

"II. 'Commissioner', the Commissioner of Labor or his authorized representative."

Amend Subsection IV of said Section 1 of said new chapter by striking out the words and figures "one hundred fifty dollars (\$150.00) a month" in lines 19 and 20 and inserting in place thereof the following: twenty-five hundred dollars (\$2500.00) a year or its equivalent, so that said subsection as amended shall read as follows:

"IV. 'Employee', any person employed by any employer and in any employment subject to this chapter except any person employed at other than manual labor at a rate of more than twenty-five hundred dollars (\$2500.00) a year or its equivalent."

Amend subsection V of said Section 1 of said new chapter by striking out the word "five" in line 26 and inserting in place thereof the word ten and by striking out the words "commission rules" in line 47 and inserting in place thereof the words rules of the commissioner. Further amend said subsection by striking out the word "commission" in lines 59 and 61 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"V. 'Employer', any person, partnership, association, corporation, whether domestic or foreign, or the legal representative, trustee in bankruptcy, receiver, or trustee thereof, or the legal representative of a deceased person, who or whose agent or predecessor in interest has employed at least ten persons in employment subject to this chapter at least eighteen weeks in the preceding calendar year; provided that such employment in 1935 shall make an employer subject on January 1, 1936, and such employment in any subsequent calendar year shall make a newly subject employer subject for all purposes as of January first of the calendar year in which such employment occurs.

"In determining whether an employer employs enough persons to be subject hereto, and in determining for what con-

tributions he is liable hereunder, he shall, whenever he contracts with any contractor or subcontractor for any work which is part of his usual trade, occupation, profession, or business, be deemed to employ all persons employed by such contractor or subcontractor on such work, and he alone shall be liable for the contributions measured by wages paid to such persons for such work; except as any such contractor or subcontractor, who would in the absence of the foregoing provisions be liable to pay said contributions, accepts exclusive liability for said contributions under an agreement with such employer made pursuant to general rules of the commissioner.

"All persons thus employed by an employer in all of his several places of employment maintained within the state, shall be treated as employed by a single 'employer' for the purposes of this chapter; provided, moreover, that where any employer, either directly or through a holding company or otherwise, has a majority control or ownership of otherwise separate business enterprises employing persons in the state, all such enterprises shall be treated as a single 'employer' for the purposes of this chapter.

"Any employer who shall cease to be subject hereto shall forthwith notify the Commissioner thereof in writing, setting forth the facts in such detail and in such manner as the Commissioner may by general rule prescribe."

Amend subsection VI of said Section 1 of said new chapter by striking out Subdivision (e) thereof and inserting in its place the following: (e) Physicians and nurses in public or private hospitals, and by adding a further subsection after line 85 as follows: (f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which accrues to the benefit of any private shareholder or individual, so that said subsection as amended shall read as follows:

"VI. 'Employment', any employment in which all or the greater part of the person's work is customarily performed



within this state, under any contract of hire, oral or written, express or implied, whether such person was hired and paid directly by the employer or through any other person employed by him; provided the employer had actual or constructive knowledge of such contract. Such employment shall include the person's entire employment.

"Except as provided in any reciprocal benefit arrangement made pursuant to this chapter 'employment' shall not include any employment covered by any unemployment compensation system established by an Act of Congress.

"Nor shall the term 'employment' apply to:

"(a) Employment as a farm laborer.

"(b) Employment in domestic service in private homes.

"(c) Employment by the Federal or State government or any subdivision or agency thereof.

"(d) Employment as teacher or officer in a public or private school or college.

"(e) Physicians and nurses in public or private hospitals.

"(f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which accrues to the benefit of any private shareholder or individual."

Amend subsection VIII of said Section 1 of said new chapter by striking out the word "commission" in lines 92, 102, 106, 109 and 112 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"VIII. 'Full-time weekly wage', the weekly earnings an employee would receive from his employment if employed at the 'hourly rate of earnings' and for the 'full-time weekly hours' applicable to such employee. The commissioner shall make such rules and adopt such methods of calculating full-time weekly wages as may be suitable and reasonable under this subsection.

"(a) The applicable 'hourly rate of earnings' shall be determined by averaging the employee's actual earnings for at

least one hundred hours of employment with his most recent employer.

"(b) 'Full-time weekly hours', the standard weekly hours customarily worked by employees in the employment in question. Where there are no such customary standard weekly hours, the commissioner shall determine the standard by averaging weekly hours for all calendar weeks in at least the past three months in which the employee has worked thirty hours or more, or by such equitable method as the commissioner may by general rule prescribe.

"In the case of any employee who is found by the commissioner, at the time he becomes eligible for benefits, to be unable, by reasons of physical disability or by any other reason, other than lack of employment, to work half the full-time weekly hours, the commissioner shall determine his full-time weekly hours for benefit purposes by averaging his weekly hours for all weeks in at least the past three months in which he worked."

Amend subsection XII of said Section 1 of said new chapter by striking out the word "commission" in line 134 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"XII. 'Wages', every form of remuneration for employment received by a person from his employer, directly or indirectly, including salaries, commissions, bonuses, and the reasonable value of board, rent, housing, lodging, payments in kind, and similar advantages. Where gratuities are received by the employee in the course of his employment from a person other than his employer, the value of such gratuities shall, subject to the approval of the commissioner, be included as part of his wages received from his employer."

Amend Section 2 of said new chapter by striking out the word "commission" in line 160 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"2. *Fund*. There is hereby created the Unemployment Compensation Fund to be administered by the commissioner, subject to audit by the comptroller without liability on the

part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions and moneys paid into and received by the fund as provided by this chapter, of property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned thereon."

Amend Section 4 of said new chapter by striking out the word "commission" in lines 173 and 175 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "may" in line 182 and inserting in place thereof the word shall, so that said section as amended shall read as follows:

"4. *State Treasurer Custodian of Fund.* The state treasurer shall be the custodian of the fund; and all disbursements therefrom shall be paid by him upon vouchers signed by the commissioner. He shall give a separate and additional bond with sufficient sureties in an amount to be fixed by the commissioner conditioned upon the faithful performance of his duty as custodian of the fund. He may deposit or invest any portion of the fund not needed for immediate use, in the manner and subject to all the provisions of law respecting his deposit of other state funds held by him; provided further, that upon the establishment of an Unemployment Trust Fund by the United States Government or its authorized agency he shall invest therein so long as such trust fund exists. Premiums upon bonds required pursuant to this section shall be paid from the Unemployment Administration Fund."

Amend Section 5 of said new chapter by striking out the word "commission" in line 194 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"5. *Payment.* On and after the first day of January, 1936, contributions shall accrue and become payable by each employer then subject to this chapter. Thereafter, contributions shall accrue and become payable by any employer on and after the date on which he becomes subject to this chapter. The contributions required hereunder shall be paid by each employer in such manner and at such times as the commissioner may prescribe."

Amend Section 7 of said new chapter by adding after the word "years" in line 216 the words or the five preceding years whichever is higher, and by striking out the last sentence thereof, so that said section as amended shall read as follows:

"7. *Merit Ratings or Reduction in Contributions.* The commission shall, beginning in 1941, classify employers in accordance with the actual experience with regard to the contributions which they have paid in their own behalf and the benefits which the Unemployment Compensation Fund has paid to their employees, or to employees whose benefits are charged against such employers. If it appears in the accounts established and kept as provided below that an employer shows, as excess of contributions paid in his own behalf over benefits paid to his employees or chargeable to him, a reserve equal to eight percent or more of the average of his total payrolls for the three preceding years, or the five preceding years whichever is higher, his rate of contribution shall be reduced to two and one-half percent; if the reserve is ten percent but less than twelve percent, the rate shall be reduced to two percent; if the reserve is twelve percent but less than fifteen percent, the rate shall be one and one-half percent; and if the reserve is fifteen percent or more, the rate shall be one percent. The minimum contribution thus payable to the fund by the employer in his own behalf shall in no case amount to less than one percent."

Amend Section 8 of said new chapter by striking out the word "accounts" in lines 228 and 229 and inserting in place thereof the word records and by striking out the word "commission" in line 228 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"8. *Records.* The commissioner shall keep separate records of the amounts paid into the fund by each employer in his own behalf, or chargeable to him as benefits; but nothing in this chapter shall be construed to grant any employer or his employees prior claims or rights to the amount contributed by him to the fund, either on his own account or on behalf of his employees. The amount of employer contributions together with the employee contributions shall be pooled



and available to pay benefits to any employee entitled to benefits under the provisions of this chapter regardless of the source of such contributions."

Amend Section 9 of said new chapter by striking out the words "employer's account" in lines 240 and 241 and inserting in place thereof the word employer, so that said section as amended shall read as follows:

"9. For the purpose of determining which employer shall be debited with the amount of benefits paid to an employee who, during the period of the effective operation of this chapter, prior to the receipt of benefits, has worked for more than one employer, the liability of the two or more accounts shall be in inverse order to the succession of the several employments of the employee. The liability of any employer's account shall be limited to two years previous to the time when the worker last registered as unemployed; and the extra weeks of unemployment benefit for those who are entitled thereto because of previous steady employment dating back more than two years, as provided herein, shall not be chargeable against any employer's account."

Amend Section 10 of said new chapter by striking out the word "commission" in line 257 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"10. No employer shall have the advantage of a merit rating unless the reserve computed remains at a level justifying the lower rate of contributions, except that the commissioner may, for purposes of convenience, fix quarterly, half yearly, or other reasonable periods during which the lower contributions based on merit ratings shall remain unchanged."

Amend Section 11 of said new chapter by striking out the word "commission" in line 261 and inserting in place thereof the word commissioner, and by striking out the word "It" in lines 264 and 267 and inserting in place thereof the word he so that said section as amended shall read as follows:

"11. *Segregation of Special Risks.* The commissioner shall investigate and report upon the degree of unemploy-



ment hazard in various industries and occupations and their cost to the unemployment fund. He shall recommend to employers in industries or occupations showing an excessive cost to the fund means for stabilizing employment. He shall also, if necessary, recommend to the legislature a higher rate of contribution for any classification of industries or occupations in which unemployment is excessive or chronic."

Amend Section 12 of said new chapter by adding after the word "percent" in line 275 the words provided that the rate of contributions required of employees shall in no case exceed fifty percent of the general rate required of employers. Further amend said section by striking out the words "commission rules" in line 279 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:

"12. *Contributions by Employees.* Beginning on January 1, 1936, each employee shall contribute to the fund one half of one percent of his wages; and beginning on January 1, 1937, and thereafter he shall contribute one percent, provided that the rate of contributions required of employees shall in no year exceed fifty percent of the general rate required of employers. Each employer shall withhold such contribution from the wages of his employees, shall show such deduction on his payroll records, and shall transmit all such contributions to the fund, pursuant to general rules of the commissioner."

Amend Section 13 of said new chapter by adding after the word "paid" in line 285 the words through employment offices, and by striking out the word "commission" in line 286 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"13. *Payment of Benefits.* After contributions have been paid under this chapter for two years, benefits shall become payable from the fund to any employee who thereafter is or becomes unemployed and eligible therefor. Such benefits shall be paid through employment offices at such times and in such manner as the commissioner may specify."

Amend Section 14 by striking out Subsection (2) and in-

serting in place thereof the following: (2) The minimum payable in the case of an employee whose full-time weekly wage is ten dollars or less shall be seventy percent of his wage, but not more than five dollars, so that said section as amended shall read as follows:

"14. *Weekly Benefits for Total Unemployment.* An employee totally unemployed and eligible in any week shall be paid benefits, computed to the nearest half dollar, at the rate of fifty percent of his full-time weekly wage, except that:

"(1) the maximum benefit payable shall be \$15 per week; and

"(2) the minimum payable in the case of an employee whose full-time weekly wage is ten dollars or less shall be seventy per cent of his wage, but not more than five dollars."

Amend Section 15 of said new chapter by striking out the word "benefits" in line 309 and inserting in place thereof the word earnings, so that said section as amended shall read as follows:

"15. *Weekly Benefits for Partial Unemployment.* An employee partially unemployed and eligible in any week shall be paid sufficient benefits so that his week's wages and any other pay for personal services, including net-earnings from self-employment and his benefits combined, will be at least two dollars more than the weekly benefit to which he would be entitled if totally unemployed in that week, but not exceeding sixty percent of the earnings for full-time employment. In any week in which the employee has received benefits for partial unemployment, the amount of time he has worked shall not be used as a basis for further benefit."

Amend Section 17 of said new chapter by striking out the words "commission rules" in line 331 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:

"17. *Weeks of Benefit in Any Year.* Benefits shall be paid each employee for the weeks during which he is totally or partially unemployed and eligible for benefits, based on his past weeks of employment. Except as provided in section 18, no employee shall receive for his weeks of unemployment occurring within any 52 consecutive weeks more than

16 weeks of total unemployment benefits, or an equivalent total amount of benefits for partial unemployment or partial and total unemployment combined, as determined by rules of the commissioner. In no case shall benefits for partial unemployment be paid for a longer period than fifty-two weeks."

Amend Section 18 of said new chapter by adding at the end thereof the following sentence: The maximum number of additional weeks of benefit thus allowed shall be ten, provided that such additional weeks shall not be a basis for partial unemployment benefits, so that said section as amended shall read as follows:

"18. *Additional Benefits (One-to-Twenty-four Ratio)*. An eligible employee who has received the maximum benefits permitted hereunder shall receive additional benefits in the ratio of one week of total unemployment benefit, or its equivalent, for each unit of twenty-four aggregate weeks of employment for which he has paid the employee contribution of one percent provided herein occurring within the six years preceding the close of his most recent week of employment, and against which benefits have not already been charged under this chapter. The maximum number of additional weeks of benefit thus allowed shall be ten, provided that such additional weeks shall not be a basis for partial unemployment benefits."

Amend Section 19 of said new chapter by striking out the word "commission" in lines 348, 349 and 360 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"19. *Benefits in Emergencies and for Special Groups*. If in any six months period the amount paid in benefits from the unemployment fund has exceeded the income; or, if, in the judgment of the commissioner, the reserves in the fund are in serious danger of depletion, the commissioner may declare an emergency and announce a modified scale of benefits, an increased waiting period, or other changes in the rules and regulations regarding eligibility for payment of benefits which it may deem necessary to maintain the reserves of the fund.

"If, as a result of experience there should be found within

the insured group certain industries or occupations normally yielding individual workers periods of employment of less than two weeks for any given employer or normally involving work for a number of employers, the commissioner may place these industries or occupations in categories having special rules regarding eligibility for payment of benefits or reduced scale of benefits."

Amend Section 20 of said new chapter by striking out the word "commission" in lines 367 and 371 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"20. *Part-time Employment.* An employee who customarily works less than the full-time prevailing in his place of employment shall register as a short-time worker in such manner as the commissioner shall prescribe. The time which such employee normally works in any week shall be deemed his week of full-time employment, and the wages he earns in such week shall be deemed his full-time weekly wage. The commissioner shall fix the proportionate number of days of employment required to qualify for benefits in place of the other provisions contained herein and the proportionate maximum and minimum benefits in lieu of the maximum and minimum amounts provided herein."

Amend Section 22 of said new chapter by striking out the word "commission" in lines 390, 392, 395 and 406 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"22. *Availability and Registration for Work.* An employee shall not be eligible for benefits in any week of his partial or total unemployment unless in such week he is able to work and available for work. To prove such availability, every employee partially or totally unemployed shall register for work and shall file claim for benefits at the employment office designated by the commissioner for this purpose, within such time limits and with such frequency and in such manner as the commissioner may by general rule prescribe. No employee shall be eligible for benefits for any week in which he fails without good cause to comply with such registration and



filing requirements. The commissioner shall furnish copies of his rules covering such requirements to each employer, who shall notify his employees of the terms thereof by posting and maintaining the same in a conspicuous place in his establishment.

"In claiming benefits hereunder an employee shall, during each week of his unemployment, correctly report any wage-earning employment he had in such week and any wages he received for such employment, including employments not subject to this chapter, and shall make such reports in accordance with such rules as the commissioner shall prescribe."

Amend Section 26 of said new chapter by striking out the words "inefficiency or" in line 452 and the words "following the week in which such discharge occurred" in lines 454 and 455, so that said section as amended shall read as follows:

"26. *Discharge.* An employee who has been discharged for misconduct shall thereby become ineligible for benefits until after a waiting period of six weeks, and the employee's maximum weeks of benefit per year shall be reduced by three weeks."

Amend Section 27 of said new chapter by adding at the end thereof the words subsequent to such refusal of suitable employment, so that said section as amended shall read as follows:

"27. *Refusal of Suitable Employment.* If an otherwise eligible employee fails, without good cause, to apply for suitable employment when notified by the employment office, or to accept suitable employment when offered him, in each such instance, he shall thereby become ineligible for benefits for the week in which such failure occurred and for the three next following weeks; and such weeks shall be charged, as if benefit for total unemployment had been paid therefor, against the employee's most recent weeks of employment against which benefits have not previously been charged hereunder, and shall also be counted against his maximum weeks of benefit per year; provided, however, that the period thus charged shall not exceed the period of actual unemployment, subsequent to such refusal of suitable employment."



Amend Section 28 of said new chapter by striking out the word "so" in line 486 and the words "as to depress unduly wages or working conditions" in lines 487 and 488, so that said section as amended shall read as follows:

"28. 'Suitable employment,' shall mean any employment not detrimental to the health, safety or morals of an employee for which he is reasonably fitted, including employment not subject to this chapter, which is located within reasonable distance of his residence or last employment, and which does not involve travel expense substantially greater than that required in his former employment. No employment shall be deemed suitable, and benefits shall not be denied under this chapter to any otherwise eligible employee for refusing to accept new work under any of the following conditions: (a) if there is a strike, or other labor dispute in the establishment in which the employment is offered; (b) if the wages, hours, and other conditions of the work offered are substantially less favorable to the employee than those prevailing for similar work in the locality; (c) if acceptance of such employment would require the employee to join a company union or would abridge or limit his right to join or retain membership in any bona fide labor organization."

Amend Section 30 of said new chapter by striking out the words "commission rules" in line 502 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:

"30. *Filing.* Benefit claims shall be filed at the state employment office at which the employee has registered as unemployed, pursuant to general rules of the commissioner."

Amend Section 31 of said new chapter by striking out the word "commission" in lines 504 and 509 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"31. *Initial Determination.* The local employment office official designated by the Commissioner shall promptly determine whether or not the claim is valid and the amount of the benefits payable thereunder, and shall give notice of such decision to the employee, his most recent employer and

such other parties as the Commissioner may deem interested. Benefits shall be paid or denied accordingly, unless a hearing is requested by a party affected within five days after such notification. Said official shall render a decision as promptly thereafter as possible and shall notify the parties affected."

Amend Section 32 of said new chapter by striking out the word "commission" in lines 516 and 517 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"32. *Appeals.* Any party affected by such decision may file an appeal in such manner and within such time as the commissioner may designate with such appeal tribunal as the commissioner may establish for this purpose."

Amend Section 33 by striking out the word "commission" in line 524 and inserting in place thereof the word commissioner and by striking out all after the word provided in line 534, so that said section as amended shall read as follows:

"33. *Appeal Tribunals.* Such appeal tribunals shall consist of an employer or a representative of employers, an employee or a representative of employees, and one representative of the public who shall act as chairman. The members shall serve during the pleasure of the commissioner. No person shall hear any case in which he is a directly interested party. With the written consent of the parties, the chairman of such appeal tribunal may act for it at any session in the absence of one or both of the other members, provided that they have had due notice of such session. The appeal board shall render its decision within ten days and shall notify the interested parties. Where the appeal board affirms a decision of the designated official, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken to the courts as hereinafter provided."

Amend Section 34 of said new chapter by striking out the words "commission rules" in line 538 and inserting in place thereof the words rules as prescribed by the commissioner, so that said section as amended shall read as follows:

"34. *Procedure.* General rules as prescribed by the commissioner shall govern the manner in which claims shall be presented, the reports thereon required from the employee and from employers, and the conduct of hearings and appeals. Such rules shall be designed to ascertain the substantial rights of the parties involved, without regard to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with a disputed claim."

Amend Section 35 of said new chapter by striking out line 548 and inserting in place thereof the following: 35. *Review by Commissioner.* The commissioner shall. Further amend said section by striking out the word "its" in line 551 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"35. *Review by Commissioner.* The commissioner shall have the power to remove or transfer the proceedings on any claim pending before a designated official or appeal tribunal; and may, on his own motion, within ten days after the date of any decision by such official or appeal tribunal, affirm, reverse, change, or set aside any such decision on the basis of the evidence previously submitted in such case, or upon the taking of additional testimony."

Amend Section 37 of said new chapter by striking out the word "commission" in lines 567, 568 and 571 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in line 571 and inserting in place thereof the word his so that said section as amended shall read as follows:

"37. *Appeal to courts.* Any party aggrieved by any ruling of law in any proceeding hereunder, having excepted thereto, may file his exceptions with the commissioner within ten days after the filing of the findings, and the same shall be allowed by the commissioner so far as conformable to the facts. Thereupon the case shall be transferred to the Supreme Court as in actions at law. The commissioner may of his own motion transfer to the Supreme Court any question of law arising in the administration of this chapter.

Such judicial review shall be barred unless the other remedies herein provided have been exhausted."

Amend Section 38 of said new chapter by striking out the word "section" in line 577 and the word "commission" in line 579 and inserting in place thereof the words respectively chapter, commissioner, so that said section as amended shall read as follows:

"38. *Oaths and Witnesses.* In the discharge of the duties prescribed by this chapter, any designated official, member of an appeal tribunal, commissioner, or duly authorized representative of the commissioner shall have power to administer oaths, take depositions, certify to official acts, and by subpoena compel the attendance of witnesses and the production of books, papers, documents and records. Witnesses summoned shall be paid the same fees as witnesses summoned to appear before the Superior Court."

Amend Section 39 of said new chapter by striking out the word "commission" in lines 589 and 590 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"39. *Testimonial Privilege.* No person shall be excused from testifying or from producing any book or paper in any investigation or inquiry by or upon any hearing before the commissioner, when ordered to do so by the commissioner, upon the ground that the testimony or evidence, book or document required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which under oath, after claiming his privilege, he shall by order have testified or produced documentary evidence."

Amend Section 40 of said new chapter by striking out the word "commission" in lines 599, 600, 601, 604 and 607 and inserting in place thereof the word commissioners. Further amend said section by striking out the word "it" in line 610 and inserting in place thereof the word he, so that said section as amended shall read as follows:



"40. *Duties and Powers of Commissioner.* It shall be the duty of the commissioner to administer this chapter. The commissioner shall have the power and authority to adopt and enforce all reasonable rules and orders necessary or suitable to that end. In this connection the commissioner may make any expenditures, require any reports and take any other action necessary and suitable to carry out the provisions of this chapter. Annually, by the first day of January, the commissioner shall submit to the governor a summary report covering the administration and operation of this chapter during the preceding year, together with such recommendations as he deems proper."

Amend Section 41 of said new chapter by striking out the word "commission" in line 612. Further amend said section by striking out the word "commission" in line 613 and the word "its" in line 614 and inserting in their respective places the words commissioner and his, so that said section as amended shall read as follows:

"41. *General Rules.* The general rules adopted by the commissioner for the administration of this chapter shall be duly recorded in his minutes and be filed with the Secretary of State, and shall thereupon have the force and effect of law. Such rules may be amended, altered or repealed in the same manner as herein provided for their adoption."

Amend Section 42 of said new chapter by striking out the word "commission" in line 619 and inserting in place thereof the word commissioner, by striking out the word "its" in line 621 and inserting in place thereof the word his, and by striking out the word "it" in line 622 and inserting in place thereof the word he, so that said section as amended shall read as follows:

"42. *Publication.* The commissioner shall cause to be printed in proper form for distribution to the public the text of this chapter, his general rules, his annual report to the governor, and any other material he deems relevant and suitable, and shall furnish the same to any person upon request."

Amend Section 43 of said new chapter by striking out the



word "commission" in lines 625, 633, 635 and 638 and inserting in place thereof the word commissioner, by striking out the words "under rules and regulations of the commission" in line 632, by striking out the word "a" in line 637 and inserting in place thereof the word the, and by striking out the word "its" in line 639 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"43. *Personnel.* The commissioner is authorized to employ all the necessary officers, accountants, clerks, agents, investigators, auditors and other persons necessary for the proper administration of this chapter and to fix the amount of their compensation subject to the approval of the governor and council. They shall be selected and appointed on a nonpartisan merit basis. The commissioner shall not employ or pay any person who is serving as an officer or committee member of any party organization. The commissioner shall fix the duties and powers of all persons thus employed, and may authorize any such person to perform any of the functions of the commissioner under this chapter. The commissioner may in his discretion, bond any person handling moneys or signing checks hereunder."

Amend Section 44 of said new chapter by striking out the word "commission" in line 641, the word "It" in line 643, and the word "its" in said line 643 and inserting in their respective places the words commissioner, he, and his, so that said section as amended shall read as follows:

"44. *Employment Stabilization.* The commissioner shall endeavor to promote the regularization of employment. He shall take all appropriate steps within his means to reduce and prevent unemployment and to promote the reemployment of unemployed workers throughout the state."

Amend Section 45 of said new chapter by striking out the word "commission" in lines 651, 653, 656, 660 and 663 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in lines 651 and 663 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"45. *Records and Reports.* Every employer shall keep

true and accurate records of all persons employed by him showing the weekly hours worked by each, and the weekly wages paid by him to each. Such records shall be open to inspection by the commissioner or his authorized representatives at any reasonable time. The commissioner may require from any employer such reports on the wages, hours, employment, unemployment and related matters concerning his employees as the commissioner deems necessary to the effective administration of this chapter. Information secured from employers or employees pursuant to this chapter shall not be open to the public nor be used in any court in any action or proceeding pending therein unless the commissioner or the state is a party to such action or proceeding. Any officer or employee of the state, who, without authority of the commissioner or pursuant to his regulations, or as otherwise required by law, shall disclose the same, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment."

Amend Section 46 of said new chapter by striking out the word "commission" in lines 669, 670 and 673 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"46. *Representation in Court.* On request of the commissioner, the attorney general shall represent the commissioner and the state in any court action relating to this chapter or to its administration and enforcement; provided, however, that special counsel may be designated by the commissioner with the approval of the governor."

Amend Section 47 of said new chapter by striking out the word "commission" in line 675 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"47. *State-Federal Cooperation.* The commissioner is hereby authorized to cooperate with the appropriate agencies and departments of the federal government in matters relating to the administration of this chapter, and to comply with all reasonable federal regulations governing the expenditures

of sums allotted or apportioned to the state for such administration and accepted by the state."

Amend Section 48 of said new chapter by striking out the word "commission" in lines 684 and 694 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in line 695 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"48. *Reciprocal Arrangements.* The commissioner is hereby authorized, subject to approval by the governor and council, to enter into reciprocal arrangements with the proper authorities in the case of any other unemployment compensation system established by any law of another state or by an Act of Congress, as to persons who have newly come under this chapter or under such other system, whereby benefits shall be paid through the fund of the unemployment compensation system applicable to such person. Such reciprocal arrangements shall be adopted and published by the commissioner in the same manner as his general rules."

Amend Section 50 of said new chapter by striking out the word "commission" in line 712 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"50. *Limitation of Fees.* Any employee claiming benefits in any proceeding or court action may be represented by counsel or other duly authorized agent. Fees for such services rendered by such agent shall not be allowable or payable unless such agent is an attorney or counselor-at-law; nor unless the amount has been approved by the commissioner. Any person, firm or corporation who shall exact or receive any remuneration or gratuity for any services rendered on behalf of a claimant, except as authorized by this section, or who shall solicit the business of appearing on behalf of a claimant, or who shall make it a business to solicit employment for another in connection with any claim for benefits under this chapter shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment."

Amend Section 57 of said new chapter by striking out the said section and inserting in place thereof the following:

"57. *Special Fund.* There is hereby created the 'Unemployment Compensation Administration Account' to be used by the commissioner for the administration of this chapter. This account shall include the amount of money which the Federal Government may contribute to the state for such purpose. This special account shall be handled by the state treasurer as other state moneys are handled, subject to audit by the comptroller; but it shall be expended solely for the purpose herein specified, and its balance shall not lapse at any time but shall remain continuously available to the commissioner for expenditures consistent herewith."

Amend Section 60 of said new chapter by striking out the words "commission" and "its" in line 804 and inserting in their respective places the words commissioner and the, so that said section as amended shall read as follows:

"60. All moneys in the Unemployment Administration account are hereby appropriated as they become available to the commissioner including the employment office service."

Amend said new chapter by adding at the end thereof the following new section:

"63. *Reserved Right.* All the rights, privileges, or immunities conferred by this chapter or by acts done pursuant thereto shall be subject to the reserved right of the legislature to alter, amend or repeal this chapter or any portion thereof at any time."

Amend Section 2 of said bill by striking out the said section and inserting in place thereof the following new section:

"2. *Study of Partial Unemployment.* The commissioner shall make a study of partial unemployment and shall make such recommendations to the next session of the Legislature with respect to conditions and terms of partial unemployment benefits as he shall deem necessary."

Further amend said bill by adding at the end thereof the following new section:

"3. *Effective Date.* The governor shall by proclamation declare the effective date of this act after the passage of Fed-



eral legislation imposing a tax for unemployment compensation. In the event that the imposition of such a tax by such federal legislation should be finally adjudged invalid, the provisions of this act shall cease to become operative."

The report was accepted, amendments adopted and the bill was referred to the Committee on Finance under the rules.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags, Having considered the same reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines of said section and inserting in place thereof the following:

1. *Sale of Artificial Flowers.* Amend chapter 157 of the Public Laws, as amended by chapter 102 of the Laws of 1931, and chapter 1, Laws of the special session of 1934, by adding after section 17 the following new sections:

Further amend said section 1 by renumbering the sections inserted by said section so that they will read 18, 19 and 20.

The report was accepted, amendments adopted and the bill was sent to the House of Representatives for concurrence in the Senate amendments.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 423, An act repealing an act amending the charter of the city of Nashua, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the following words: and the provisions of said charter as they existed prior to said act are hereby revived.

Further amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendments adopted and the bill



was sent to the House of Representatives for concurrence in the Senate amendments.

#### INTRODUCTION OF BILLS

Senator Marston under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws.

Senate Bill No. 66, An act relating to the escheat of estates.

Senator Manson under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation:

Senate Bill No. 67, An act relating to the operation of motor vehicles.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Brown, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bills and joint resolutions were read a third time and passed:

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire Building at the Eastern States Exposition.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood, and Nellie F. Hagerty.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 41 (in new draft), An act relative to building and Loan Associations.

On motion of Senator Kelley the Senate adjourned.

---

WEDNESDAY, MAY 15, 1935.

The Senate met according to adjournment.

#### LEAVES OF ABSENCE

Senator Bailey and Senator Cole were granted leave of absence for the day on account of important business.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 424, An act providing for the registration of weighing and measuring devices.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

House Joint Resolution No. 103, Joint resolution for the construction of the Long Island bridge, so-called, in the town of Moultonborough.

House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 206 (in new draft and title), An act relating to State, county and municipal contracts.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 424, An act providing for the registration of weighing and measuring devices.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

To the Joint Committee on Public Improvements and Finance,

House Joint Resolution No. 103, Joint resolution for the construction of the Long Island bridge, so-called, in the town of Moultonborough.

To the Committee on Claims,

House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow.

#### COMMITTEE REPORTS

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, New Hampshire, *et als*, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution was referred to the Committee on Finance under the rules.

Senator Butler for the Committee on the Judiciary, to whom was referred Senate Bill No. 65, An act relating to the closing of highway crossings, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Commission Hearing.* Whenever after hearing upon petition or upon its own motion the public service commis-

sion shall be of the opinion that the public safety requires the closing of any public or private crossing over a railroad at grade or above or below such railroad it shall order the same to be closed or shall make such order as in its opinion the public good may require and it shall thereafter be the duty of the parties affected to comply therewith.

Amend section 4 of said bill by adding at the end of said section the following words, and/or the other interested parties in such proportion as said commission shall order, so that said section as amended shall read as follows:

4. *Damages.* Any landowner, or the legal representative of the same, entitled to damages by reason of the closing of any private crossing may file a petition with the commission for the assessment of the same within thirty days from the date of such order, and not otherwise. The commission shall set a date and place of hearing, shall give notice to the parties that may be affected and shall hear and determine the issues raised. Damages, if any, shall be assessed against the railroad corporation and/or the other interested parties in such proportion as said commission shall order.

The report was accepted, amendments adopted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senators Calef and Sanborn for the Joint Committees on Public Improvements and Finance, to whom were referred the following bills and joint resolutions:

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deer-

field South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the



improvement of the road leading from Milton to the Farmington town line known as the Farmington road.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bills and joint resolutions were ordered to a third reading this afternoon at one o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words and figures "lines 12, 13, 14 and 15" and inserting in place thereof the following: the third, fourth, fifth and sixth lines.

Further amend said section 1 by striking out the word and figure "line 26" and inserting in place thereof the words, the seventeenth line.

Further amend said section 1 by striking out the word "will" in the ninth line and inserting in place thereof the word, shall.

The report was accepted, amendments adopted and the bill as amended was sent to the House of Representatives for concurrence in the Senate amendments.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 101, An act relating to the duties of town tax collectors.

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

HAVEN DOE,  
*For the Committee.*

On motion of Senator Marston, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bills and joint resolutions were read a third time and passed:

Senate Bill No. 65, An act relating to the closing of highway crossings.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

On motion of Senator Brown, the Senate adjourned.

THURSDAY, MAY 16, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Bailey was granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following entitled message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 104, An act relating to hours of labor.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 358, An act relating to trailers.

House Bill No. 411, An act relating to foreign insurance companies and their agents.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Amend subsection 16c of section 2 of said bill by striking out in line 1 thereof the word "Flares" and inserting in place thereof the words: *Oil Burning Lights.*; by striking out in line 3 the words, "red flare", and substituting therefor the words oil burning light; by striking out in line 5 the words,

"red flares", and substituting therefor the words, oil burning lights, so that said subsection shall read as follows:

16c. *Oil Burning Lights.* Every truck, buss or tractor, except when stopping momentarily, under conditions as described in section 16b, must in addition place one oil burning light one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall at all times be required to carry oil burning lights of a type to be approved by the commissioner of motor vehicles.

On motion of Senator Manson, the Senate concurred in the amendments send down by the House of Representatives.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 38 (in second new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 41 (in new draft), An act relative to building and loan associations.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Bill No. 423, An act repealing an act amending the charter of the City of Nashua.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:



To the Committee on the Judiciary,  
House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

To the Committee on Revision of Laws,  
House Bill No. 411, An act relating to foreign insurance companies and their agents.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

To the Committee on Labor,  
House Bill No. 104, An act relating to hours of labor.  
House Bill No. 336, An act relating to public employment of veterans.

To the Committee on Transportation,  
House Bill No. 358, An act relating to trailers.

### COMMITTEE REPORTS

Senator Manson for the Committee on Transportation, to whom was referred Senate Bill No. 21, An act relating to pedestrians, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution was adopted.

Senator Manson for the Committee on Transportation, to whom was referred Senate Bill No. 26, An act relative to glaring headlights on motor vehicles, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "Prohibited" in line 3, and inserting in place thereof the following: If any person shall use any electric bulb or other lighting device for use in motor vehicle head lamps on the highway of this state of a greater capacity than thirty-two candle power, the same shall be fined not more than fifty dollars; so that said section as amended will read as follows:

1. *Motor Vehicle Head Lamps.* Amend chapter 103 of the Public Laws by adding after section 8 the following new

section: 8-a. *Use of Certain Lights Prohibited.* If any person shall use any electric bulb or other lighting device for use in motor vehicle head lamps on the highway of this state of a greater capacity than thirty-two candle power, the same shall be fined not more than fifty dollars.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the following: January 1, 1936; so that said section as amended will read as follows:

2. *Takes Effect.* This act shall take effect January 1, 1936.

The report was accepted, amendments adopted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Manson for the Committee on Transportation, to whom was referred Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents, Having considered the same, reported the same in new draft and recommended its passage.

The report was accepted and the bill laid upon the table to be printed.

On motion of Senator Manson, the bill was made a special order for 10:01 Tuesday, May twenty-first.

The President declared a recess until 12:58 p. m.

The Senate re-assembled.

#### INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Calef, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend Section 43 of the bill by striking out the word,

"merit" in line 7 so that said section as amended shall read as follows:

43. *Personnel.* The commissioner is authorized to employ all the necessary officers, accountants, clerks, agents, investigators, auditors, and other persons necessary for the proper administration of this chapter and to fix the amount of their compensation subject to the approval of the governor and council. They shall be selected and appointed on a non-partisan basis. The commissioner shall not employ or pay any person who is serving as an officer or committee member of any party organization. The commissioner shall fix the duties and powers of all persons thus employed, and may authorize any such person to perform any of the functions of the commissioner under this chapter. The commissioner may, in his discretion, bond any person handling moneys or signing checks hereunder.

The report was accepted, amendment adopted and the bill was ordered to a third reading this afternoon at one o'clock.

On motion of Senator Kelley, the Senate adjourned.

## AFTERNOON

### THIRD READINGS

The following bills were read a third time and passed.

Senate Bill No. 26, An act relative to glaring head lights on motor vehicles.

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon it be to meet to-morrow morning at nine o'clock, and when it adjourns Friday morning it be to meet Monday evening at seven o'clock.

On motion of Senator Roberts, the Senate adjourned.

FRIDAY, MAY 17, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., May 17, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MAY 20, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., May 20, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MAY 21, 1935.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Harrington was granted leave of absence for the week on account of illness.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 44, An act relating to the naming of certain bridges.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

#### READ AND REFERRED

The following entitled joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Joint Committee on Public Improvements and Finance,

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

To the Committee on Claims,

House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.



## COMMITTEE REPORTS

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom were referred:

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to

Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for the improvement of Kearsarge mountain road in Wilmot.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled joint resolutions were ordered to a third reading this afternoon at 1 o'clock.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the word "forty" in line one and substituting therefor the word twenty, and by striking out the word "ten" in line 3 and substituting therefor the word five; so that said joint resolution as amended will read:

That the sum of twenty thousand dollars for the year 1935 be and hereby are appropriated on condition that the town of North Hampton appropriates five thousand dollars for the improvement of the main or post road, so called, leading from U. S. Route 1 at Hampton in the town of North Hampton to Little Bay bridge, if the town of North Hampton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid under the provisions of section 21, chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931, for the year 1935. Said sums appropriated by the state and town shall be expended under the direction of the highway commissioner and

the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, amendments adopted and the joint resolution was ordered to a third reading this afternoon at 1 o'clock.

Senator Calef for the Committee on Finance, to whom were referred:

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purposes of maintenance.

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bills and joint resolution were ordered to a third reading this afternoon at 1 o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road in the town of Deerfield, Having considered the same, reported the same under joint rule No. 6, with the following amendments and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "road" in the sixth line the words, in the town of Deerfield.

Further amend said resolution by adding after the word "years" in the eighth line the words, for the same purpose.

The report was accepted, amendments adopted and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth, Having considered the same, reported the same under joint rule No. 6, with the following amendments and recommended that the joint resolution as amended ought to pass.

Amend the caption of said resolution by striking out the same and inserting in place thereof the following:

Joint resolution for the improvement of the Salmon Falls road, so-called, in the city of Rochester.

Amend said resolution by striking out the first seven lines and inserting in place thereof the following:

That the sum of six thousand dollars (\$6,000) for the year 1936 be and hereby is appropriated for the improvement of the Salmon Falls road, so-called, in the city of Rochester, from the.

The report was accepted, amendments adopted and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 22, An act relating to lights and parking of motor vehicles, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Motor Vehicles.* Amend chapter 103 of the Public Laws by adding after section 7 the following new section:

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2. *Lights.* Amend chapter 103 of the Public Laws by adding after section 16-a, as inserted by chapter 76 of the Laws of 1927, the following new sections:

The report was accepted.

Senator Manson moved that the bill with the recommendations of the Committee pending be laid upon the table.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "years" in the seventh line the words, for the improvement of the Weare road, so-called, in the town of Dunbarton.

The report was accepted, amendment adopted, and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "line" in the eighth line the words, in the town of Alton.

Further amend said resolution by adding at the end thereof the following:

Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, amendments adopted, and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 41, Joint resolution for the completion of the road leading from Milton to Farmington known as the Farmington road, Having



considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "years" in the eighth line the words, for the same purpose.

The report was accepted, amendment adopted, and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the last two sentences thereof and inserting in place thereof the following:

The sums hereby appropriated shall be expended under the direction of the commissioner of agriculture, provided that the sum expended for an exhibit at the Eastern States Exposition shall not exceed ten per cent of the sum hereby appropriated and further provided that no part of the appropriation made hereunder shall be expended for any agricultural fair where the total premiums for agricultural exhibits is less than one hundred dollars. The governor with the advice and consent of the council is authorized to draw his warrant for this appropriation out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted, and the joint resolution as amended sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

Senate Bill No. 42, An act relative to Penacook Union School District.

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

Senate Bill No. 61, An act relating to the directors of the Young Men's Christian Association of Nashua.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition.

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

Senate Bill No. 44, An act relating to the naming of certain bridges.

House Joint Resolution No. 10, Joint resolution for the improvement of the old stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan, in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the im-

provement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line, known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim center to the Franklin Pierce highway in the town of Antrim.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

HAVEN DOE,

*For the Committee.*

#### SPECIAL ORDER

Senator Manson called for the special order which was on the recommendation of the committee on Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

The question being stated, Shall the recommendation of the committee be adopted?

On motion of Senator Manson, the bill with the recommendation pending was laid upon the table.

#### RECESS

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has concurred with the Senate in the passage of the following bill with amendments, in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 14, An act relating to mortuary regulations.

Amend section 6 by striking out all of said section and inserting in place thereof the following: 6. *Compensation.* The members of the board shall receive the sum of five dollars per day while actually engaged upon the business of the board and shall be reimbursed for necessary traveling expenses incident to attendance upon the business of the board, provided that said compensation and expense shall be a charge upon the fund herein constituted and further provided that in case said fund shall be insufficient to pay said compensation and expenses the members of said board shall have no claim upon the state for said compensation.

Amend sub-section 3 of sub-division VII of section 1 of said bill by striking out in line four thereof the words "on their own account" so that said sub-section 3 shall read as follows: 3. *Appointment.* All appointees to the board shall be funeral directors, shall be citizens and residents of this state who have had at least five years of practical experience in funeral directing and in embalming, and shall have been engaged therein in this state for a period of at least five years. Two appointees shall be chosen from a list of at least four names to be submitted forthwith and upon the expiration of their respective terms of office their successors shall be chosen from another list of three names annually submitted to the governor and council by the New Hampshire Funeral Directors' Association.

Amend section 63 of said bill by striking out in line one thereof the words "be in effect on April 1, 1935" and inserting in place thereof the words, take effect upon its passage, so that said section as amended shall read as follows:

63. *Takes Effect.* This act shall take effect upon its

passage and all acts or parts of acts inconsistent with this act are hereby repealed.

On motion of Senator Wiley, the Senate concurred in the amendments sent down from the House of Representatives.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon was made in order at the present time.

### THIRD READINGS

The following bills and joint resolutions were read a third time and passed:

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road lead-



ing from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for the improvement of Kearsarge mountain road in Wilmot.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge.

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purposes of maintenance.

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Brown, the following resolution was adopted:

*Resolved*, That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

## BILL RETURNED FROM GOVERNOR

Pursuant to the above request, His Excellency, the Governor, returned to the Senate House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

On motion of Senator Brown, the rules were so far suspended as to allow the reconsideration of the vote on the foregoing entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same Senator, the bill was laid upon the table.

On motion of Senator Kelley, the Senate adjourned.

---

WEDNESDAY, MAY 22, 1935.

The Senate met according to adjournment.

## RESOLUTION

On motion of Senator Cole, the following resolution was adopted:

WHEREAS, It is with profound regret that the Senate has learned of the illness of our beloved friend, Senator William F. Harrington, be it

*Resolved*, That the Senate expresses its sincere sympathy and hope for his speedy recovery.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 155, Joint resolution relative to assessment and collection of taxes.

The message further stated that the House of Representatives has recalled from the Governor Senate Bill No. 38, An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

Senate Bill No. 38, An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

Amend the paragraph numbered 3 of the preamble by adding before the word, park, the words, "forest reservation and," so that said paragraph as amended shall read as follows:

3. The said land outside of the road bed shall be maintained as a state forest reservation and park.

Amend the paragraph numbered 6 of the preamble by striking out the words, highway or park, and inserting in place thereof the word, "deeded," so that said paragraph as amended shall read as follows:

6. No signs shall appear on the deeded area, except State direction or protective signs.

Amend the paragraph numbered 7 of the preamble by striking out the same and inserting in place thereof the following:

7. In the event that the area outside the highway is abandoned by the State as a forest reservation and park, it shall revert to the New Hampshire-Vermont Lumber company.

Amend the paragraph numbered 8 of the preamble by

striking out the words, and the park area, so that said paragraph as amended shall read as follows:

8. The State agrees to paint-mark the boundaries of the deeded area on completion of the road project at its expense and to replace such markings every five years.

Amend Section 3 of the bill by inserting before the word, park, in the fourth line the words, "forest reservation and," so that said section as amended shall read as follows:

3. *Maintenance.* The expenses of laying out and constructing said road and the maintenance thereof except for such assistance as may be provided by said Civilian Conservation Camp under the forestry department shall be a charge upon the state highway funds and the maintenance of said forest reservation and park area shall be under the supervision of the forestry department.

On motion of Senator Roberts, the Senate concurred in the amendments sent up from the House of Representatives.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, and asks for a committee of conference. The Speaker has appointed as members on the part of the House, Messrs. Davis of Conway, Ahern of Concord and Carroll of Laconia.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a committee of conference on the foregoing entitled bill.

Pursuant to the above request, the President appointed as members on part of the Senate Senators Condon and Carter.

#### READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time and referred to the Committee on the Judiciary:

House Joint Resolution No. 155, Joint resolution relative to assessment and collection of taxes.

## COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 80, An act to amend the charter of the city of Portsmouth, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senator Butler for the Committee on the Judiciary, to whom was referred:

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 395, An act relating to municipal courts.

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham, Having considered the same, reported the same without amendments and recommended their passage.

The reports were accepted and the bills were ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 425, An act relating to the establishment of the East Derry fire precinct, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 4 of the bill by striking out all after the word "track" in the fifth line and substituting therefor the following: from Hubbard Depot on the Warner Hill road across country to the Beattie farm, so-called, on the Derry Dock road, to the Derry village district, so that said section as amended will read as follows:

4. *Boundaries.* Subject to section 2, the boundaries of the precinct to be hereby established are as follows: That section of Derry bounded by the Derry village fire district; the Chester road, so-called, the town lines each of Chester, Sandown and Hampstead, the railroad track commonly called the Nashua & Rochester Railroad track from Hub-



bard Depot on the Warner Hill road across country to the Beattie farm, so-called, on the Derry Dock road, to the Derry village district.

The report was accepted, amendment adopted and the bill was ordered to a third reading this afternoon at 1 o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution was ordered to a third reading this afternoon at 1 o'clock.

Senator Doe for the Committee on Revision of Laws, to whom was referred Senate Bill No. 66, An act relating to the escheat of estates, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at 1 o'clock.

Senator Bouthillier for the Committee on Military Affairs, to whom was referred House Bill No. 389, An act establishing the office of State Veterans' Service officer, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Bouthillier for the Committee on Military Affairs, to whom was referred Senate Bill No. 49, An act establishing a Veterans' Welfare Commission, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom were referred:

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

House Bill No. 83, An act relating to Cornish toll bridge.

Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled bill and joint resolutions were ordered to a third reading this afternoon at one o'clock.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 145, An act authorizing the state of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance.

House Bill No. 353, An act relative to conveyance of land to the state for highway purposes.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province

Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road, leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot.

HARRY MANSON,  
*For the Committee.*

#### INTRODUCTION OF BILL AND JOINT RESOLUTION

Senator Sanborn under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced

the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry:

Senate Bill No. 68, An act relating to public forest lands.

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance:

Senate Joint Resolution No. 16, Joint resolution for the improvement of Sheep road in the city of Concord and town of Pembroke.

#### TAKEN FROM TABLE

On motion of Senator Manson, Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents, was taken from the table.

The question being stated, Shall the recommendation of the committee that the bill in new draft ought to pass be adopted?

On a *viva voce* vote the recommendation was adopted.

Senator Manson offered the following amendment.

Amend the bill by striking out all after the enacting clause, and substituting in place thereof the following:

1. *Amendment, Zone Privileges.* Amend section 28, chapter 100 of the Public Laws, as amended by section 2, chapter 122 of the Laws of 1933 by striking out the words "except motor trucks of a registered carrying capacity of more than three tons," and inserting in place thereof the following, "of which the gross weight of load and vehicle does not exceed the limit imposed by the laws of this state," so that as amended said section shall read:

28. *Zone Privilege.* A non-resident owner of a motor vehicle of which the gross weight of load and vehicle does not exceed the limit imposed by the laws of this state, who has complied with the laws of his state relating to registration and licensing of motor vehicles and who has a bona fide ac-

tual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may operate such vehicle upon any ways of this state distant not more than fifteen miles from the border line of his state if application for the registration thereof is made in accordance with the provisions of section 1 and the proper fee is paid and the vehicle is registered by the commissioner.

2. *Amendment, Zone Privilege.* Amend section 29a, chapter 100 of the Public Laws, as amended by section 2, chapter 122 of the Laws of 1933, by inserting after the words "on the highways of this state" the words "except under zone privilege" so that as amended said section shall read:

29a. *Registration, Special Permit.* No motor truck of a registered carrying capacity of more than three tons owned by a non-resident shall be operated on the highways of this state, except under zone privilege, until it has been registered under the laws of this state in the same manner as is required of like vehicles owned and registered in this state; provided that a non-resident owner may apply to the commissioner for a special permit, to operate such motor truck upon the highways of this state, which permit, if granted, shall cover operation of such non-resident motor truck in this state for a period not to exceed five days from the date of issue or for periods of five separate days during one calendar year. A special permit granted under the provisions hereof shall not be transferable nor shall it be extended beyond the five day period. Any such special permit issued by the commissioner shall be in the possession of the operator of such truck at all times when such truck is operated on the highways of this state. Nothing in this section shall affect such motor trucks owned by any public utility company doing business in this state when engaged in emergency repair work, provided that said motor trucks and the drivers thereof shall be properly registered and licensed in this or some other state.

3. *Takes Effect.* This act shall take effect upon its passage.



The question being stated, Shall the amendment be adopted?

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Senator Carter demanded a division.

Thirteen Senators having actually voted in the affirmative and six in the negative, the affirmative prevailed and the amendment was adopted, and the bill was ordered to a third reading this afternoon at one o'clock.

On motion of Senator Manson, the rules were further suspended and the bill was read a third time and passed.

On motion of Senator Brown, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bills and joint resolutions were read a third time and passed.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 395, An act relating to municipal courts.

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

Senate Bill No. 66, An act relating to the escheat of estates.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin. Ought to pass.

House Bill No. 83, An act relating to Cornish toll bridge. Ought to pass.

On motion of Senator Kelley, the Senate adjourned.

---

#### THURSDAY, MAY 23, 1935.

The Senate met according to adjournment.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 373, An act in relation to emergency public works.

House Bill No. 394, An act relating to work relief.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 426, An act relating to railroads and public utilities.

House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals or other devices.

House Bill No. 442, An act relating to business corporations.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 156, Joint resolution in favor of the State house department.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill and joint resolution with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 56, An act relating to liability of towns.

Amend by striking out all after the enacting clause and substituting therefor the following:

1. *Liability of Towns.* Amend section 1 of chapter 89 of the Public Laws by striking out in line 3 the words "defectively railed" and substituting therefor the words, of which insufficient warning has been given; further amend by striking out the word "railings" and substituting therefor the words, warning signs or structures, so that said section as amended will read as follows:

1. *When Liable.* Towns are liable for damages happening to any person, his team, carriage or motor vehicle, traveling upon a bridge, culvert or sluiceway, or dangerous embankments of which insufficient warning has been given, upon any highway which the town has the duty of maintaining, by reason of any obstruction, defect, insufficiency or want of repair of such bridge, culvert, sluiceway or embankments and warning signs or structures, which renders it un-

suitable for the travel thereon. But any person or corporation, except municipal corporations, through whose negligence or carelessness any obstruction, defect, insufficiency or want of repair is caused upon any highway, shall be liable to any person injured by reason thereof, and the damages may be recovered in an action on the case; provided that this chapter shall not enlarge the common law liability of public officers.

2. *Warning Signs or Structures.* Amend section 2 of said chapter 89 by striking out the whole thereof and substituting therefor the following:

2. *Sufficient Warning.* Sufficient warning of dangerous embankments shall be held to have been given whenever the railing, post or other warning signs or structures conform to the standards prescribed by the State Highway Department and have been approved by the State Highway Department in the manner hereinafter provided.

3. *How Approved.* Amend section 3 of said chapter 89 by inserting after the word "railings" wherever it appears the words, posts or other warning signs or structures, so that said section as amended will read as follows:

3. — *Approval of.* The State highway department shall examine all railings, posts or other warning signs or structures erected by a town upon any highway, upon the written request of such town, and if the same are approved as standard railings, posts or other warning signs or structures a record of such request, of the examination and approval and of the location of such railings, posts or other warning signs or structures shall be made and kept in the office of said department. A copy of such record shall be filed forthwith in the office of the town clerk of the town in which such railings, posts or other warning signs or structures are located. A copy of such record certified by the State highway commissioner shall be received by all courts as evidence of the sufficiency of such railings, posts or other warning signs or structures for a period of three years after such record has been made.

On motion of Senator Doe, the foregoing bill with amendment pending was laid upon the table.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three thousand dollars (\$3,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Old Mast road, so-called, in the town of Lee from the Lee town house to the Durham line, provided that the town of Lee appropriates the sum of one thousand dollars (\$1,000) for the same purpose for each of the said two years. It is further provided that if the town of Lee makes the appropriation provided for herein and accepts the aid from the State under this resolution, said town shall not be entitled to apply for or receive State aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935.

On motion of Senator Calef, the Senate concurred in the amendment sent up by the House of Representatives.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolutions:

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road in the town of Deerfield.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the



completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 41, Joint resolution for the completion of the road leading from Milton to Farmington known as the Farmington road.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

#### READ AND REFERRED

The following entitled bills and joint resolutions sent up by the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 373, An act in relation to emergency public works.

House Bill No. 394, An act relating to work relief.

On motion of Senator Manson, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

House Bill No. 426, An act relating to railroads and public utilities.

House Bill No. 442, An act relating to business corporations.

To the Committee on Liquor Laws,

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

To the Committee on Public Improvements,

House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals or other devices.

To the Committee on Finance,

House Joint Resolution No. 156, Joint resolution in favor of the State house department.

To the Joint Committee on Public Improvements and Finance,

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

## COMMITTEE REPORTS

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Fisheries and Game, to whom was referred House Bill No. 306 (new draft), An act to create a fish and game commission and to define its powers and duties, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 2 by striking out in lines 5 and 6 the following: "Not more than two commissioners shall be members of fish and game clubs"; so that said section as amended will read:

2. There shall be a fish and game commission of five members, each well informed on the subject of wildlife conservation and restoration, appointed by the Governor with the advice of the Council. Not more than three commissioners shall be of the same political party. One member shall be a resident of either Coos or Carroll county, another of either Grafton or Sullivan county, another of either Merrimaack or Belknap county, another of either Rockingham or Strafford county, and another of either Cheshire or Hillsborough county. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

Amend section 6 by adding after the word "power" in line 3, except in the removal of a director, in which event the full board will be present and voting; so that said section as amended will read:

6. A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power, except in the removal of a director, in which event the full board will be present and voting. At least ten days' notice in writing shall be given to all members of any meeting.

Amend section 8 by inserting after the word "term" in line 5, at the pleasure of the commission; so that said section as amended will read:

8. The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wildlife resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall execute and file with the state treasurer a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties. He shall have general supervision and control of all activities, functions, and employees of the fish and game department, and shall enforce all the provisions of the laws of this State relating to fish, wild animals and birds, and shall exercise all necessary powers incident thereto.

Amend section 11 by adding at the end thereof the follow-

ing: The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just; so that said section as amended will read:

11. Rules, regulations and orders of the director shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having a general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality where such rules, regulations, and orders are applicable; but, if no such newspaper is so published or circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations, and orders may also be given such other publicity as the director may deem desirable. The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provision of this act as he deems is reasonable and just.

Amend Section 15 by adding at the end of said section the following words, "including a biological survey of the State," so that the section as amended shall read as follows:

The director shall enter into cooperation with the departments of the Federal government and of this and all other states, for the protection, propagation and preservation of fish, game and fur-bearing animals in this State, and shall execute all matters pertaining thereto, including a biological survey of the state.



Amend section 18, paragraph (i) by striking out the word "dogs" in line 2, by striking out the words "and vehicles" in lines 2 and 3, and by adding after the word "same" in line 5 the words, at the owner's expense; so that said paragraph (i) as amended will read:

(i) To seize all fishing tackle, guns, shooting and hunting paraphernalia, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Amend section 21 by striking out all after the word "request" in line 15; so that said section as amended will read:

21. No conservation officer or superintendent of hatcheries in the service of this department shall be removed therefrom except for such cause as will promote the efficiency of said service, and for reasons given in writing by the director, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing, and furnishing affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the director; and copies of charges, notice of a hearing, answer, reasons for removal, and of the order of removal, shall be made a part of the records of this department, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected, upon request.

Amend said bill by adding after section 22 the following new subdivision:

*Special Areas in White Mountain National Forest*

22-a. *Authority for Establishment.* The forest service of the United States department of agriculture is hereby authorized to make reasonable rules and regulations for the protection of game and other animals, birds and fish on such



area or areas in the White Mountain Forest Reserve as shall be designated from time to time by said forest service with the written approval of the commission. Said areas shall be designated as areas for the propagation, rearing and protection of fish and game and other wild life. A description of said area or areas and a plan or map thereof shall be filed in the office of said commission.

22-b. *Limitation.* At no time shall the areas designated as provided in section 22-a exceed one hundred thousand acres, in total.

22-c. *Posting.* A copy of any rule or regulation made under the provisions of section 22-a, attested by an official or employee of said forest service, shall be posted on the designated area to which said rules and regulations are made applicable and a like copy, with affidavit of posting thereon shall be filed for record in the office of the commission and in the office of the secretary of state.

22-d. *Penalty.* Whoever shall violate any rule or regulation made pursuant to the provisions of section 22-a and posted and filed as provided for herein shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

22-e. *Application of Laws.* During the period any such rules or regulations shall be in force the laws of the state relative to fish and game inconsistent therewith shall be suspended.

The report was accepted.

On motion of Senator Doe, the bill with the adoption of the amendments pending was laid upon the table and made a special order for Tuesday, May 28th, at 10:01 o'clock.

On motion of Senator Condon, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 55, An act relating to the traffic in intoxicating liquor, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the sale of beverages by certain first-class hotels.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Sale of Beverages.* Amend section 19 of chapter 3 of the Laws of the special session of 1934 by striking out said section and inserting in place thereof the following: 19. *Licenses for Hotels.* The Commission may issue licenses to first-class hotels in any city or town. The determination of what is a first-class hotel is to be within the discretion of the commission. Said licenses shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide guests with meals in the dining room or in the rooms of the guests, provided that in cities and towns voting not to accept the provisions of this act the licensee shall not sell such liquor or wines to a resident of the city or town in which such hotel is located. In cities and towns voting not to approve the sale of beverages under the provisions of chapter 99, Laws of 1933, any hotel holding a license issued under the provisions of this section shall be entitled to sell beverages to bona fide guests with meals in the dining room or in the rooms of the guests, provided that said licensee shall not sell such beverages to a resident of the city or town in which such hotel is located. The sale of beverages authorized hereunder by licensees shall be subject to all the provisions of chapter 99, Laws of 1933, provided that said licensee shall be entitled to a special on-sale permit for such sale and shall make payment of the monthly fees as provided in said chapter but shall not be required to make the payment of one hundred dollars annually with the application for such permit.

2. *Takes Effect.* That act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at 1 o'clock.

On motion of Senator Carter, the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 251, An act relative to the payment of wages, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Weekly Payment of Wages.* Amend section 28 of chapter 176 of the Public Laws as amended by chapter 69 of the Laws of 1935, approved, May 6, 1935, by striking out said section and inserting in place thereof the following:

28. *Penalty.* Whoever willfully violates any of the provisions of this subdivision shall be fined not less than ten nor more than fifty dollars or imprisoned for not more than two months, for each offense, provided that a prosecution therefor is begun within six months after the offense is committed, but not otherwise. Any officer or agent of a corporation responsible for the violation of any of the provisions of this subdivision shall be subject to the penalty herein prescribed in addition to the penalty incurred by the corporation.

2. *Evasions.* Amend chapter 176 of the Public Laws by adding to the subdivision relative to payment of wages the following new section:

28-a. —. No person shall by a special contract with an employee or by any other means exempt himself from the provisions of this subdivision. There shall be no defense for failure to pay as required hereunder unless there shall have been an attachment of such wages by trustee process, or a valid assignment thereof, or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him. If the person charged with violation of the provisions of this subdivision is an officer of an association or corpora-

tion his liability to the penalty prescribed hereunder shall not be altered by the fact that the employee may be a stockholder of said association or corporation.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at 1 o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 336, An act relating to public employment of veterans, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "State" in line 9, on the basis of need, and secondly to those; so that said section as amended will read:

1. In public employment of clerks, office help, mechanics, teachers, teamsters, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the construction of public works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall first be given to citizens of the state on the basis of need, and secondly to those who have served in the Army, Navy and/or Marine Corps of the United States in time of war, and have been honorably discharged therefrom or released from active duty therein, and who are qualified to perform the work to which the employment relates.

Amend section 2 of the bill by striking out all after the word "towns" in line 3 and substituting therefor, as hereinbefore provided; so that said section as amended will read:

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said veterans in said services of their respective cities and towns, as hereinbefore provided.



The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at 1 o'clock.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 104, An act relating to hours of labor, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, inasmuch as hours of labor are already regulated by federal code.

The report was accepted, and the resolution adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word, "year," in the 13th line the figures and word, "1935 and".

The report was accepted, amendment adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the figure, "1931", in the 11th line the words and figures, "and section 4, chapter 17, Laws of 1935." The report was accepted, amendment adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury, Having considered the same, reported the same



under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding at the end thereof the following:

The sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the State shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the next to the last sentence of said resolution and inserting in place thereof the following:

The construction hereby authorized is to begin where the previous improvement of said road ended December, 1934, and shall continue toward the Gilmanton line.

The report was accepted, amendment adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Maintenance.* State of New Hampshire is hereby authorized and required to take over the maintenance of that

portion of the so-called Sugar Load road bordering on Newfoundland lake in the town of Alexandria, said section of road being approximately two miles in length. The expense of the maintenance of said road shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, reported the same with the recommendation that the House recede from its position of non-concurrence, and concur with the amendments sent down by the Honorable Senate.

JOHN J. CONDON,

ELIOT A. CARTER,

*Conferees on the part of the Senate.*

MICHAEL J. CARROLL,

WILLIAM J. AHERN,

B. B. DAVIS,

*Conferees on the part of the House.*

The report was accepted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

Senate Bill No. 38, An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purposes of a State forest reservation and park and the construction of a road to the Canadian border.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deer-

field South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 11, Joint resolution for the improvement of the Salmon Falls road, so-called, in the city of Rochester.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 41, Joint resolution for the completion of the road leading from Milton to Farmington, known as the Farmington road.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

HARRY MANSON,  
*For the Committee.*

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House has voted to adopt the report of the Committee of Conference on House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

#### INTRODUCTION OF JOINT RESOLUTION

Senator Wiley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance:

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

## TAKEN FROM TABLE

On motion of Senator Brown, House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester, was taken from the table.

The question being stated.

Amend said bill by striking out the title and inserting in place thereof the following:

An act relative to a State-aided highway in the city of Rochester.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Highway Designated.* That part of the highway known as route number eleven leading from Rochester village proper to East Rochester village over and along that part of Eastern avenue leading from the dwelling of Ira G. Studdley in an easterly direction to Walnut street in the city of Rochester is hereby designated as a class II State-aided highway.

On motion of Senator Brown, the above amendments were adopted, and the bill ordered to a third reading this afternoon at 1 o'clock.

On motion of Senator Bouthillier, the rules were suspended and all business in order for this afternoon at 1 o'clock was made in order at the present time.

## THIRD READINGS

The following bills and joint resolution were read a third time and passed.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels.

House Bill No. 251, An act relative to the payment of wages.

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 274, An act relative to a State-aided highway in the city of Rochester.

On motion of Senator Cole, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it be to meet Friday morning at 9 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Roberts, the Senate adjourned.

---

FRIDAY, MAY 24, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., May 24, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, MAY 27, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., May 27, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*



There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, MAY 28, 1935.

The Senate met according to adjournment.  
Senator Alexander in Chair.

HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

House Bill No. 220, An act relating to diseases of domestic animals.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Finance,

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the

expenses of the State of New Hampshire for the year ending June 30, 1937.

To the Committee on Agriculture,

House Bill No. 220, An act relating to diseases of domestic animals.

### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 301, An act relating to the public service commission, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the section numbered 11 as inserted by section 1 of the bill by adding after the word "council" in the third line the words, and within the limits of the appropriation for such purpose; and further amend said part of section 1 by striking out the words "and legal counsel" in the fourth line so that said section as amended shall read as follows:

11. *Expenditures.* In the exercise of the authority and performance of the duties prescribed by law, the commission shall have the authority, with the approval of the governor and council and within the limits of the appropriation for such purpose, to employ and fix the compensation of such regular staff, including experts, as it shall deem necessary. Should emergency require, it may in addition to the sums appropriated for its use by the legislature expend such further sums as the governor and council may approve, such further sums to be paid out of any money in the treasury not otherwise appropriated.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 281 (new draft and new title), An act requiring toilet facilities in restaurants and other public eating places, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 by inserting after the word "connection"

in line 13, the following: nor to existing establishments while in their present locations, unless major alterations are made; so that said section as amended shall read:

1. *Toilet Facilities to be Provided for Restaurants.* All restaurants, dining rooms, lunch rooms, tea rooms and other places where the business of serving food to the public is conducted shall be equipped with toilets and lavatories convenient of access for the use of patrons. Separate toilets and lavatories shall be provided for women except where the circumstances may be such as, in the judgment of the health officer, to render separate provision unnecessary. Provided that the provisions of this act shall not apply to the service of lunches in stores or at roadside refreshment booths, nor to food service of temporary character, nor to portable bona fide lunch carts without sewer connection, nor to existing establishments while in their present locations, unless major alterations are made. The state board of health and the health officers of cities and towns are charged with the enforcement of this act.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the resolution as amended ought to pass.

Amend said resolution by striking out the first sentence thereof and inserting in place thereof the following:

That the sum of twenty-five thousand dollars (\$25,000) be and hereby is appropriated for the construction of a breakwater to improve and protect the Ocean Boulevard in the town of North Hampton commencing at the Little Boar's Head fish houses, so called, and running southerly to the Bath Houses, so called, approximately eleven hundred feet, and for the payment of any expense of eminent domain proceedings as hereinafter provided.

The report was accepted, amendment adopted and the joint

resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "said" in the twelfth line the following: town shall not be entitled to apply for or receive.

The report was accepted, amendment adopted and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the compensation of the county treasurers.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by adding after the date "1929" in the third line the words and by chapter 14, Laws of 1935.

The report was accepted, amendment adopted and the bill

sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding at the end thereof the following:

The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

#### INTRODUCTION OF BILLS

Senator Sanborn under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 69, An act relating to observance of the Lord's Day.

Senator Bailey under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 70, An act relating to the Woodsville fire district.

On motion of Senator Marston, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill read a third time and passed.



## BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 394, An act relating to work relief.

House Bill No. 83, An act relating to Cornish toll bridge.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 395, An act relating to municipal courts.

Senate Bill No. 14, An act relating to mortuary regulations.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Frankestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in Boscawen.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

HAVEN DOE,  
*For the Committee.*

## TAKEN FROM TABLE

On motion of Senator Manson, Senate Bill No. 22, An act relating to lights and parking of motor vehicles, was taken from the table.

The question being stated.

On motion of Senator Manson, the rules were suspended to reconsider the vote on the foregoing entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

Senator Manson offered the following amendments.

Amend Section 16c by striking out all thereof and inserting in place thereof the following, "Oil Burning Lights and Flares. Every truck, buss or tractor when operated outside of the lighted area of towns or cities, except when stopping momentarily, under conditions as described in section 16b, must in addition place one oil burning light or flare one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall when operated outside of the lighted area of towns or cities be required to carry oil burning lights or flares of a type to be approved by the commissioner of motor vehicles.

On motion of Senator Manson, the bill with the amendments pending was laid upon the table.

## ORDER VACATED

On motion of Senator Sanborn, the order whereby Senate Bill No. 69, An act relating to observance of the Lord's Day, was referred to the Committee on the Judiciary was vacated and the bill was referred to the Committee on Revision of Laws.

## SPECIAL ORDER

Senator Doe called for the special order, House Bill No. 306 (new draft), An act to create a fish and game commission and to define its powers and duties.

The question being stated, Shall the amendments offered by the Committee be adopted?

Amend section 2 by striking out in lines 5 and 6 the following: "Not more than two commissioners shall be members of fish and game clubs"; so that said section as amended will read:

2. There shall be a fish and game commission of five members, each well informed on the subject of wildlife conservation and restoration, appointed by the governor with the advice of the council. Not more than three commissioners shall be of the same political party. One member shall be a resident of either Coos or Carroll county, another of either Grafton or Sullivan county, another of either Merrimack or Belknap county, another of either Rockingham or Strafford county, and another of either Cheshire or Hillsborough county. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

Amend section 6 by adding after the word "power" in line 3, except in the removal of a director, in which event the full board will be present, and voting; so that said section as amended will read:

6. A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power, except in the removal of a director, in which event the full board will be present and voting. At least ten days' notice in writing shall be given to all members of any meeting.

Amend section 8 by inserting after the word "term" in line 5, at the pleasure of the commission; so that said section as amended will read:

8. The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wildlife resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of

the state in the discharge of his official duties. He shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary traveling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall execute and file with the state treasurer a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties. He shall have general supervision and control of all activities, functions, and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals and birds, and shall exercise all necessary powers incident thereto.

Amend section 11 by adding at the end thereof the following: The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violated the provisions of this act as he deems is reasonable and just; so that said section as amended will read:

11. Rules, regulations and orders of the directors shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having a general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality where such rules, regulations, and orders are applicable; but, if no such newspaper is so published or circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such

rules, regulations, and orders may also be given such other publicity as the director may deem desirable. The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just.

Amend section 15 by adding at the end of said section the following words, "including a biological survey of the state," so that the section as amended shall read as follows:

The director shall enter into cooperation with the departments of the Federal government and of this and all other states, for the protection, propagation and preservation of fish, game and fur-bearing animals in this state, and shall execute all matters pertaining thereto, including a biological survey of the state.

Amend section 18, paragraph (i) by striking out the word "dogs" in line 2, by striking out the words "and vehicles" in lines 2 and 3, and by adding after the word "same" in line 5 the words, at the owner's expense; so that said paragraph (i) as amended will read:

(i) To seize all fishing tackle, guns, shooting and hunting paraphernalia, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Amend section 21 by striking out all after the word "request" in line 15; so that said section as amended will read:

21. No conservation officer or superintendent of hatcheries in the service of this department shall be removed therefrom except for such cause as will promote the efficiency of said service, and for reasons given in writing by the director, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be al-



lowed a reasonable time for personally answering the same in writing, and furnishing affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the director; and copies of charges, notice of a hearing, answer, reasons for removal, and of the order of removal, shall be made a part of the records of this department, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected, upon request.

Amend said bill by adding after section 22 the following new subdivision:

#### SPECIAL AREAS IN WHITE MOUNTAIN NATIONAL FOREST

22-a. *Authority for Establishment.* The forest service of the United States department of agriculture is hereby authorized to make reasonable rules and regulations for the protection of game and other animals, birds and fish on such area or areas in the White Mountain forest reserve as shall be designated from time to time by said forest service with the written approval of the commission. Said areas shall be designated as areas for the propagation, rearing and protection of fish and game and other wild life. A description of said area or areas and a plan or map thereof shall be filed in the office of said commission.

22-b. *Limitation.* At no time shall the areas designated as in section 22-a exceed one hundred thousand acres, in total.

22-c. *Posting.* A copy of any rule or regulation made under the provisions of section 22-a, attested by an official or employee of said forest service, shall be posted on the designated area to which said rules and regulations are made applicable and a like copy, with affidavit of posting thereon shall be filed for record in the office of the commission and in the office of the secretary of state.

22-d. *Penalty.* Whoever shall violate any rule or regulation made pursuant to the provisions of section 22-a and posted and filed as provided for herein shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

22-e. *Application of Laws.* During the period any such

rules or regulations shall be in force the laws of the state relative to fish and game inconsistent therewith shall be suspended.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading this afternoon at 1 o'clock.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has refused to concur with the Honorable Senate in its amendments to House Bill No. 206, An act relating to state, county and municipal contracts, and asks for a Committee of Conference. The Speaker has appointed as members on the part of the House, Messrs. Brouillette of Manchester, Ahern of Concord, and Callahan of Keene.

On motion of Senator Carter, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion the President appointed as members of the Committee of Conference on the part of the Senate Senators Carter and Condon.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon at 1 o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed.

House Bill No. 281 (new draft and new title), An act requiring toilet facilities in restaurants and other public eating places.

House Bill No. 301, An act relating to the public service commission.

House Bill No. 306 (new draft), An act to create a fish and game commission and to define its powers and duties.

On motion of Senator Manson, the Senate adjourned.

WEDNESDAY, MAY 29, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator McLeod was granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 437, An act increasing the fees for permits to sell beverages.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 251, An act relative to the payment of wages.

House Bill No. 274, An act relative to a State-aided highway in the city of Rochester.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendment to the following bill:

House Bill No. 336, An act relating to public employment of veterans, and asks for a Committee of Conference. The Speaker has appointed as members on the part of the House, Messrs. Appleton of Dublin, Estabrook of Alstead, and Foss of East Kingston.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President named as

members on the part of the Senate, Senators Condon and Carter.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill and joint resolutions:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 74, Joint resolution for the improvement of the Province road in Barnstead.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Ways and Means,

House Bill No. 437, An act increasing the fees for permits to sell beverages.

To the Joint Committee on Public Improvements and Finance,

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

#### COMMITTEE REPORTS

Senator Butler for the Committee on Claims, to whom were referred House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin.

House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg.

House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damages done by bears.

House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow, Having considered the same, reported the same with the following resolutions:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and the resolutions of the committee were adopted.

Senator Butler for the Committee on Claims, to whom were referred House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Strafford.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions were referred to the Committee on Finance under the rules.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Hall's crossing to the Methuen town line, Having considered the same, reported the same with the following amendments and recommended that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the word, five, after the word, of, in line 1 and substituting in place thereof the word, ten.

Further amend the resolution by striking out the figures, (\$5000) in line 2 and substituting in place thereof the figures, (\$10,000).

Further amend the resolution by striking out after the word, line, in line 5 the following, provided that the town of Salem appropriates five thousand dollars (\$5000), and substituting in place thereof the words, by the state.

Further amend the resolution by striking out the word,



sums, in line 7 and substituting in place thereof the word, sum.

Further amend the resolution by striking out the words, and by the town, in line 8 so that the resolution as amended will read as follows:

That the sum of ten thousand dollars (\$10,000) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Hall's crossing to the Methuen town line by the state. Said sum appropriated by the state shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, amendments adopted and the joint resolution was ordered to a third reading this afternoon at one o'clock. Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom was referred Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution was ordered to a third reading this afternoon at one o'clock.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom was referred Senate Joint Resolution No. 16, Joint resolution for the improvement of Sheep road in the city of Concord and town of Pembroke, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Barrett for the Committee on Fisheries and Game, to whom was referred House Bill No. 305, An act to revise and amend the fish and game laws, Having considered the same, reported the same with the following amendments and recommended its passage.

Amend chapter 197, section 4, by adding at the end thereof the words, except brook trout; so that said section as amended will read:

4. *Limit on Possession.* No person may have in his possession at one time more fish, game or fur-bearing animals than he may lawfully take in two days, except brook trout.

Amend chapter 197, section 16, by striking out the word "dog" in line 4 and the words "and vehicles" in line 5, and by adding after the word "held" in line 6 the words, at the expense of the owner; so that said section as amended will read:

16. *Other Property upon Conviction.* When a defendant is convicted of violating any of the provisions of this act, all fishing tackle, guns, shooting or hunting paraphernalia, traps, boats, decoys or other appliances used in such violation, may be seized and held at the expense of the owner until the fine and costs imposed for the violation have been paid in full.

Amend chapter 197, section 36, by striking out the word "twenty" in line 14 and substituting therefor the word ten; so that said section as amended will read:

36. —. Any person who shall kill in this state any wildcat of the species known as bobcat, or lynx may deliver the carcass thereof, in the same condition as when killed, to any fish and game warden or the director, with a sworn statement that it was killed in this state within forty-eight hours, and giving the date and place of the killing thereof, and upon request, shall accompany the warden to the precise spot where the same was killed. Said fish and game warden shall thereupon report to the director, who, being satisfied that the same was killed in this state, shall certify the killing to the governor. The governor is hereby authorized to draw his warrant upon the fish and game fund for the payment of ten dollars for each bobcat or lynx so killed, reported and certified. The ears of such animal shall be punched by said fish and game warden with a punch to be furnished to him for the purpose by the director. If the animal is a lynx, the carcass with the pelt thereon shall be returned to its killer. If the animal is a bobcat, the warden shall cause the skin to be removed from the carcass and shall forward the skin

to the director. The director shall sell such skins and return all monies received therefor to the state treasurer to be credited to the fish and game fund.

Amend chapter 197, section 39, by striking out the words and figures "October 20" in line 2 and substituting therefor the words, and November 1, except by a permit from the director; so that said section as amended will read:

39. *Trapping.* No person shall set traps for bobcat or lynx between August 20 and November 1, except by a permit from the director.

Amend chapter 198, section 5, by striking out the word "deer" in line 2, and by adding after the word "gun" in line 3 the words, except implements used for coon hunting, and by striking out in lines 6 and 7 the words, "including any vehicle in which the same is being transported"; so that said section as amended will read:

5. *Possession of Jacks, etc.* No person shall have in his possession while hunting any jack or artificial light, swivel, pivot, or set gun, except implements used for coon hunting. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation.

Amend chapter 198, section 7, by making a new section to read as follows:

7. *Dogs.* Every fish and game warden shall kill a dog which he finds in the act of hunting, pursuing, or killing deer. No owner or keeper of a dog that will hunt or pursue deer shall permit such dog to run at large, and the finding of such a dog in the act of hunting, pursuing, or killing a deer, shall be prima facie evidence that such dog was permitted to run at large in violations of the provisions of this section. The presence of a hound in a hunting or logging camp during the open season for hunting deer, shall be prima facie evidence of its unlawful use. Nothing in this section shall be construed as prohibiting the hunting of foxes by dog and gun during the open season for deer.

Further amend said section 7 to read 7a.

Amend chapter 199, section 2, by leaving out in line 2

the words, except in the counties of Coos and Carroll; so that said section as amended will read:

2. *Pheasants*. Male pheasants may be taken and possessed from November 1 to November 11. No person shall take more than two male pheasants in one day nor more than six male pheasants in one season.

Amend chapter 200, section 6, by adding after the word "permit" in line 4, the words, each year; so that said section as amended will read:

6. *Setting*. No person shall set or arrange any trap upon any land of which he is not the owner or occupant, until he shall have secured from the owner or occupant a permit each year in writing signed by said owner or occupant, and until he shall have filed with the director a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passage way by human beings or domestic animals.

Amend chapter 200, section 13, by striking out the whole of said section and substituting therefor the following:

13. ———. A person who violates a provision of this chapter shall be fined not more than ten dollars and not more than five dollars additional for each muskrat or skunk taken or possessed contrary to the provision hereof, and not more than fifty dollars and not more than twenty-five dollars additional for each beaver, sable, fisher, martin, mink, raccoon, otter or fox so taken or possessed; provided that a person violating section 10 shall be fined not more than five hundred dollars and shall be liable for twice the amount of the damage caused by his act, to be recovered by the person sustaining the injury or loss.

Amend chapter 201, section 1, by striking out the word "two" in line 14 and inserting in place thereof the word one; so that said section as amended will read:

1. *Brook Trout*. Brook trout may be taken and possessed from May 1 to September 1, and during the month



of September by the use of artificial flies only in Coos, Grafton and Carroll counties. Brook trout may be taken and possessed from May 1 to August 1, and during the month of August by the use of artificial flies only, in all of the other counties in the state. No person may take or possess brook trout less than six inches in length. No person may take more than twenty-five in number nor more than five pounds in weight when taken, in one day. Provided so long as he has taken less than five pounds he shall be entitled to one additional fish. No person may have in his possession at one time a total of more than one day's legal catch of brook trout.

Amend chapter 201, section 2, by adding after the word "rivers" in line 4 the words, and first and second Connecticut Lakes; so that said section as amended will read:

2. *Salmon*. Salmon not less than twelve inches in length may be taken and possessed from Big Diamond pond, Umbagog lake, and the Connecticut and Androscoggin rivers, and first and second Connecticut lakes, and not less than fifteen inches in length from all other waters of the state, from April 15 to September 1, and during the month of September by the use of artificial flies only.

Amend chapter 201, section 4, by adding after the word "Aureolus" in line 4 the words, or not more than five pounds; so that said section as amended will read:

4. *Aureolus; Limit*. Aureolus, or golden trout, not less than ten inches in length, may be taken and possessed from April 15 to September 1. A person may take not more than four Aureolus or not more than five pounds in one day.

Amend chapter 201, section 11, by striking out the word "forty" in line 2 and substituting therefor the words, ten pounds of, and by adding at the end of said section the words, provided that so long as he has taken less than ten pounds he shall be entitled to take one additional fish; so that said section as amended will read:

11. *Yellow Perch*. A person may take a total of not more than ten pounds of yellow perch in one day, provided



that so long as he has taken less than ten pounds he shall be entitled to take one additional fish.

Amend chapter 201, section 14, by adding after the word "hornpouts" in line 3 the words, and not more than ten pounds; so that said section as amended will read:

14. *Hornpouts.* Hornpouts, commonly called catfish, may be taken and possessed from June 1 to November 1. A person may take not more than forty hornpouts and not more than ten pounds between twelve o'clock noon in one day and twelve o'clock noon of the following day.

Amend chapter 201, section 15, by striking out the word "ten" in line 5 and substituting therefor the word five; so that said section as amended will read:

15. *Smelt.* Fresh water smelt may be taken and possessed by means of a dip net, held in hand, or for bait by means of a circular drop net not more than forty-eight inches in diameter. A person may take a total of not more than five pounds of fresh water smelt between twelve o'clock noon in one day and twelve o'clock noon of the following day. They may be bought and sold only for use as bait.

Amend chapter 201, section 22, by crossing out the words "Big and Little Squam Lakes in lines 6 and 7, and by adding at the end of said section the words, There shall be no power trolling on Pleasant Lake in New London; so that said section as amended will read:

22. *Trolling.* A person may troll for salmon and lake trout from April 15 to September 1. No person shall troll with the aid of a boat propelled by mechanical power in Lake Winnepesaukee, including that part of said lake called Lake Paugus, Lake Winnisquam, and Newfound Lake, between July 1 and September 1. There shall be no power trolling on Pleasant Lake in New London.

Amend chapter 202, section 16, by striking out the word "it" in line 4 and substituting therefor the word he; so that said section as amended will read:

16. *Director's Powers.* The director may take, remove or transfer fish, game, and fur-bearing animals at such times,

in such manner, and from such places as he may deem proper for the protection or propagation thereof.

Amend chapter 203, section 1 by inserting after the word "do" in line 4 the words, and a license button and displaying such button; so that said section as amended will read:

1. *When Required.* No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take, or kill fresh water fish, wild birds or wild animals, in this state without first procuring a license so to do, and a license button, and displaying such button and showing such license as hereinafter provided; and then only in accordance with the terms of such license, and subject to all the provisions of this act.

Amend chapter 203, section 3, by inserting after the word "licenses" in line 1 the words, and buttons; so that said section as amended will read:

3. *Issue.* Such licenses and buttons shall be issued by the director or his agents under such rules and regulations, and in such form, as the director may prescribe, to persons sixteen years of age or over.

Amend chapter 203, section 4, by inserting after the word "triplicate" in line 3 the words, and buttons of a size to be determined by the director bearing the license number in figures and such other inscription as may be determined by the director; so that said section as amended will read:

4. *Form.* The state treasurer shall supply the director with books containing consecutively numbered licenses in triplicate, and buttons of a size to be determined by the director bearing the license number in figures and such other inscription as may be determined by the director. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of hair and eyes, and residence of the licensee, and such other information as may be requested by the director. Such license, to be valid, must be countersigned by the licensee.

Amend chapter 203, section 7, by inserting after the word "blanks" in line 3 the words, and buttons; so that said section as amended will read:

7. *Unused Blanks.* Agents shall return to the director, within ten days after the close of the current year, all unused license blanks and buttons. The director and agents shall be held responsible to the state treasurer for the full face value of all license blanks supplied to them until settlement has been made as above provided.

Amend chapter 203, section 9, by striking out the words "after due hearing" in line 3, and by striking out the words "and without hearing" in lines 5 and 6, and by striking out all after the word "property" in line 11; so that said section as amended will read:

9. *Revocation; Suspension.* The director may order any license to be suspended or revoked, for any cause that he may deem sufficient. He may order the suspension of the license of any person in his discretion, and may order the license delivered to him or his representative whenever he has reason to believe that the holder thereof is physically or mentally an improper or incompetent person to carry firearms, or is handling firearms improperly, or so as to endanger human life or property.

Amend chapter 203, section 21, by striking out the words "January first" in line 2 and substituting therefor the words, December thirty-first; so that said section as amended will read:

21. ——. All licenses provided for in this act shall expire on December thirty-first next following their issuance, and shall not be transferable.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at 4 o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 67, An act relating to municipal lighting systems, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend Article 3 by inserting after the word, "council," in line 2 the words "by vote of two-thirds of its members," so that said section as amended shall read as follows:

3. *Acquisition by Cities.* Any city may acquire or es-

tablish such a plant after the city council by vote of two-thirds of its members shall have voted, subject to the veto power of the Mayor as provided by law, that it is expedient so to do, and after such action by the city council shall have been confirmed by a majority of the qualified voters at a regular election or at a special meeting duly warned in either case; and if such confirming vote is not had within one year from the date of the vote to acquire, or if it is had and is unfavorable, no similar votes shall be passed within two years thereafter.

Amend section 4 by striking out said section and inserting in place thereof the following:

4. *Acquisition by Towns.* Any town or village district may acquire or establish such a plant after two-thirds of all the voters present and voting at an annual or special meeting, duly warned in either case, have voted by ballot with the use of the check list that it is expedient so to do. If such vote is unfavorable no like vote shall be passed within two years thereafter.

Further amend said bill by striking out section 9 and inserting in place thereof the following:

9. *Construction and Condemnation.* If the utility shall have replied in the negative or if it shall have failed to reply within the time prescribed in section 6 hereof, the municipality in the event that it shall have passed the vote or votes required in sections 3 and 4 hereof and after the Commission upon proper notice and hearing has determined that it is for the public interest so to do may construct a municipal plant or may take such private plant and property by condemnation, paying therefor just compensation determined in the manner provided in section 8 hereof.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at 1 o'clock.

Senator Butler for the Committee on the Judiciary, to whom were referred:

House Bill No. 426, An act relating to railroads and public utilities.



House Bill No. 442, An act relating to business corporations.

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate co-operation, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills and joint resolution were ordered to a third reading this afternoon at 1 o'clock.

Senator Butler for the Committee on the Judiciary, to whom were referred:

Senate Bill No. 29, An act relative to weights and measures.

House Bill No. 424, An act providing for the registration of weighing and measuring devices, Having considered the same, reported the same with the following resolutions:

*Resolved*, That they are inexpedient to legislate.

The reports were accepted and resolutions adopted.

Senator Calef for the Committee on Finance, to whom were referred:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Joint Resolution No. 132, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 156, Joint resolution in favor of the State House department.

House Bill No. 389, An act establishing the office of State Veterans' Service officer, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills and joint resolutions ordered to a third reading this afternoon at 1 o'clock.



Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 403, An act to regulate the traffic in intoxicating liquor, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 1 o'clock.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTION

Senator Cole under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

Senator Dale under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Joint Committee on Public Improvements and Finance.

Senate Joint Resolution No. 18, Joint resolution for the improvement of a road.

Senator Barrett under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 206 (in new draft and with new title), An act relating to State, county and municipal contracts, having considered the same, reported the same with the recommen-

dation that the Senate recede from its position in the adoption of the amendments and the House recede from its position of non-concurrence and that the following amendment be adopted.

Amend by striking out all after section 2 and inserting in place thereof the following sections:

3. *Preference.* It shall be a condition of every such contract whether expressly set forth therein or not that all of the unskilled laborers employed throughout the performance thereof shall be bona fide residents of the state.

4. *Exceptions.* Whenever the authority letting such contracts shall determine that there is not available a sufficient number of unskilled laborers suitable for the work, said authority may modify the employment conditions of the contract so that the work on the same may proceed without interruption.

5. *Takes Effect.* This act shall take effect upon its passage.

ELIOT A. CARTER,  
JOHN J. CONDON,

*Conferees on the part of the Senate.*

BERT L. CRAINE,  
WILLIAM J. AHERN,  
WILLIAM J. CALLAHAN,

*Conferees on the part of the House.*

On a *viva voce* vote the amendments were adopted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 251, An act relating to the payment of wages.

House Bill No. 274, An act relative to a State-aided highway in the city of Rochester.

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

HAVEN DOE,  
*For the Committee.*

#### TAKEN FROM TABLE

On motion of Senator Doe, Senate Bill No. 56, An act relating to the liability of towns, was taken from the table.

The question being stated, Shall the Senate concur in the adoption of the amendments sent down from the House of Representatives?

On motion of Senator Doe, the Senate concurred.

On motion of Senator Manson, Senate Bill No. 22, An act relating to lights and parking of motor vehicles, was taken from the table.

The question being stated, Shall the amendments be adopted?

On a *viva voce* vote the amendments were adopted, and the bill was ordered to a third reading this afternoon at one o'clock.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 426, An act relating to railroads and public utilities.

House Bill No. 442, An act relating to business corporations.

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate co-operation.

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Joint Resolution No. 156, Joint resolution in favor of the State House department.

House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Bill No. 389, An act establishing the office of State Veterans Service officer.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 305, An act to revise and amend the fish and game laws.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

On motion of Senator Marston, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet Friday morning at 9:00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Kelley, the Senate adiourned.

FRIDAY, MAY 31, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., May 31, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JUNE 3, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., June 3, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, JUNE 4, 1935.

The Senate met according to adjournment.

#### LEAVES OF ABSENCE

Senator McLeod was granted leave of absence for the day on account of important business.

Senators Harrington and Foley were granted leave of absence for the week on account of illness.



## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

House Bill No. 176, An act relating to workmen's compensation law.

House Bill No. 191, An act regarding hours of labor.

House Bill No. 447, An act to establish the New Hampshire water resources board.

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills:

Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

Senate Bill No. 67, An act relating to the operation of motor vehicles.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill and joint resolution with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 65, An act relating to the closing of highway crossings.

Amend section 4 of said bill as already amended, by strik-

ing out the word "and/" after the words "railroad corporation", so that said section as further amended shall read as follows: 4. *Damages*. Any landowner, or the legal representative of the same, entitled to damages by reason of the closing of any private crossing may file a petition with the commission for the assessment of the same within thirty days from the date of such order, and not otherwise. The commission shall set a date and place of hearing, shall give notice to the parties that may be affected and shall hear and determine the issues raised. Damages, if any, shall be assessed against the railroad corporation or the other interested parties in such proportion as said commission shall order.

On motion of Senator Cole, the Senate concurred.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

That the sum of twenty-one hundred dollars (\$2100.00) for the year 1935 and the same sum for the year 1936 be and hereby is appropriated for the improvement of the Brownfield road in the town of Eaton, leading from Eaton to Brownfield, Maine, provided that the town of Eaton appropriates the sum of seven hundred dollars (\$700.00) for the said years for the same purpose. It is further provided that if the town of Eaton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and the town shall be expended under the direction of the Highway Commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

On motion of Senator Sanborn, the Senate concurred.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 301, An act relating to the Public Service Commission.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

The message further stated that the House of Representatives refuses to concur with the Senate in its amendments to the following entitled bill, House Bill No. 306, An act to create a fish and game commission and to define its powers and duties, and asks for a committee of conference.

The Speaker has appointed as members on the part of the House Messrs. Wilson of Manchester, Guay of Laconia and Ahern of Concord.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on the foregoing bill.

Pursuant to the above motion, the President appointed as members on the part of the Senate Senators Wiley and Barrett.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Joint Committee on the Judiciary and Finance,

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

House Bill No. 447, An act to establish the New Hampshire water resources board.

To the Committee on Finance,

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

To the Committee on Labor,

House Bill No. 176, An act relating to workmen's compensation law.

House Bill No. 191, An act regarding hours of labor.

To the Committee on Claims,

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

### COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary to whom was referred House Bill No. 373, An act in relation to emergency public works, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out all of section 4 and inserting in place thereof the following:

4. *Authorization of a Public Works Project and Bonds by a Town.* The construction of a public works project and the issue of bonds for the purpose of financing the cost thereof by a town shall be authorized by a vote of two-thirds of the qualified voters of such town present and voting on the question at a meeting of such town called for such purpose. Nothing in this section shall be construed to prevent action at such meeting upon any other lawful matter, the subject of which has been duly set forth in the warning calling such meeting.

Further amend said bill by striking out all of section 11 and inserting in place thereof the following:

11. *Authorization of Construction of Public Works Project and Issue of Bonds at Municipal Meeting.* Any public works project may be authorized to be constructed and bonds may be authorized to be issued by any municipality pursuant to the provisions of this act by a vote of two-thirds of the

qualified voters of such municipality present and voting on the proposition at any meeting of such voters of such municipality, duly warned for such purpose and held under the provisions of any existing law.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the words "and of the laws of this state dealing with policies and provisions covered by said compact" the second time it appears in the first sentence of said section.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 426, An act relating to railroads and public utilities, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the operation of a toll road as a public utility.



The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred:

Senate Bill No. 56, An act relating to liability of towns, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by adding after section 3 the following new section:

4. *Takes Effect.* This act will take effect upon its passage.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 389, An act establishing the office of State veterans' service officer.

House Bill No. 418, An act relating to the compensation of the county treasurers.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

House Bill No. 442, An act relating to business corporations.

Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

Senate Bill No. 67, An act relating to the operation of motor vehicles.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 132, Joint resolution to pro-

vide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 156, Joint resolution in favor of the state house department.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

HAVEN DOE,

*For the Committee.*

The President declared a recess until 11:25 a. m.

The Senate reassembled.

#### INTRODUCTION OF BILL

Senator Calef under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation,

Senate Bill No. 73, An act relating to the establishment of motor vehicle inspection stations.

#### INTRODUCTION OF COMMITTEE REPORT

On motion of Senator Butler, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senators Calef and Butler for the Joint Committee on Judiciary and Finance, to whom was referred House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 1 o'clock.

On motion of Senator Butler, the rules were further suspended and the foregoing entitled bill read a third time and passed.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at 1 o'clock was made in order at the present time.

## THIRD READINGS

The following entitled bill was read a third time and passed.

House Bill No. 373, An act in relation to emergency public works.

On motion of Senator Butler, the following resolution was adopted:

*Resolved*, That when the Senate adjourns to-day, it adjourn out of respect to the memory of the late Arthur P. Morrill, a former President of the New Hampshire State Senate.

On motion of Senator Kelley, the Senate adjourned.

---

WEDNESDAY, JUNE 5, 1935.

The Senate met according to adjournment.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on state land.

House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton.

House Bill No. 422, An act to repeal the charters of certain corporations.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 449, An act to promote rural electrification.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendment, in the passage of which amendment the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 66, An act relating to the escheat of estates.

Amend section 1 by striking out in line 7 the word "ten" and inserting in place thereof the word, twenty, so that said section as amended will read as follows:

1. *Amendment.* Amend chapter 307 of the Public Laws as amended by chapter 20 of the Laws of 1929, chapter 136 of the Laws of 1933 and chapter 75 of the Laws of 1935 by adding the following new section after section 11 thereof:

11a. *Limitation on Claims.* All property heretofore paid or which shall be paid into the State Treasury under the provisions of sections 8 and 9 remaining undisposed of after the expiration of twenty years from the date of such payment shall escheat to the state.

On motion of Senator Marston, the Senate refused to concur with the House of Representatives and asked for a Committee of Conference on the foregoing bill.

The President appointed as members on the part of the Senate Senators Marston and McLeod.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to legal investments of savings banks as determined by the board of investments.

Amend section 1 of said bill by striking out the first three lines thereof and inserting in place thereof the following:

1. *Powers of Board of Investments.* Amend section 4 of chapter 32 of the Laws of 1935, approved March 26, 1935, by adding after the words "services approved by the bank commissioner" the following:

Further amend said section by adding at the end thereof the following:

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the commissioner and not otherwise, reinvest the proceeds of sales of steam railroad securities described in paragraph 1 of section 12 of chapter 262 of the Public Laws, in mortgage bonds described in said paragraph 1 of companies having an annual net income of not less than \$2,000,000, provided such railroad companies have earned their fixed charges in each of the next preceding three years and have met all interest and maturing principal payments without default. For the purposes of this temporary provision mortgage bonds are defined to be bonds secured by (a) a first mortgage or a mortgage or trust indenture which is in effect a first mortgage, on property owned or operated by such railroad company, or (b) a refunding mortgage which covers at least seventy-five per cent of railroad owned in fee by such railroad company at the date of the mortgage, and provides for the retirement of all outstanding mortgage debts which are a prior lien upon such railroad owned in fee and covered by said refunding mortgage at the date thereof.

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the commissioner and not otherwise, reinvest the proceeds of sales of bonds of public service companies described in paragraph VIII of section 12 of chapter 262 of the Public Laws in mortgage bonds issued, assumed or guaranteed as to principal and interest by public service companies, provided such bonds were eligible for such investment on April 9, 1931, and the net income of the company which issued or have assumed or guaranteed the same shall in each of the three years preceding such investment have been not less than one and one-half times the annual interest on the obligations in question and all other obligations of corresponding or prior lien.

On motion of Senator Doe, the Senate concurred in the amendments sent down by the House of Representatives.

House Bill No. 301, An act relating to the public service commission.

Amend section 2 of said bill by striking out the words and



figures "section 3 and section 4" and by adding after the date 1931 the word "and".

Further amend said bill by adding after section 2 the following new section:

2a. *Repeal.* Section 3 of chapter 151 of the Public Laws and section 4 of said chapter as amended by chapter 111 of the Laws of 1931 relative to the inspector of boats and assistant inspectors of boats are hereby repealed.

On motion of Senator Doe, the Senate concurred in the amendments sent down by the House of Representatives.

The message further stated that the House of Representatives refuses to concur with the Honorable Senate in its amendments to the following bills and joint resolutions:

House Bill No. 67, An act relating to municipal lighting systems, and asks for a committee of conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Graf of Manchester, Vancore of Northfield and O'Reilly of Manchester.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members on such committee on the part of the Senate Senators Cole and Manson.

House Bill No. 281 (new draft and new title), An act requiring toilet facilities in restaurants and other public eating places, and asks for a committee of conference. The Speaker has appointed as members on such committee on the part of the House Messrs. Carroll of Laconia, Young of Wakefield and Blood of Concord.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members on such committee Senators Brown and Wiley.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line, and asks for a committee of conference.

The Speaker has appointed as members on such committee on the part of the House Messrs. Leahy of Claremont, Lombard of Colebrook and Hoyt of Sandwich.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed as members on such committee Senators Cole and Brown.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 422, An act to repeal the charters of certain corporations.

House Bill No. 449, An act to promote rural electrification.

To the Committee on Revision of Laws,

House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton.

To the Committee on Forestry,

House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on state land.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

#### COMMITTEE REPORTS

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three hundred twenty-two dollars and ninety-four cents (\$322.94) be and hereby is appropriated as follows: Dr. S. G. Davis, Nashua, seventy dollars (\$70.00), Nashua Hospital Association, sixteen dollars and seventeen

cents (\$16.17), and Harry L. Whitney, two hundred thirty-six dollars and seventy-six cents (\$236.76) to reimburse Harry L. Whitney for expenses paid on account of injuries received by him while working on the state aided highway in Brookline, June 21, 1934, provided that the town of Brookline appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

The report was accepted, amendment adopted and the joint resolution referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eighty-eight dollars (\$88.00) be and hereby is allowed Roy G. Sawyer of Thornton for loss of time and expenses incurred on account of injuries received while working on the Sandwich Notch road in the town of Thornton on April 25, 1934, provided that the town of Thornton appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

The report was accepted, amendment adopted, and the joint resolution referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of sixteen dollars and twenty-five cents (\$16.25) be allowed the Peterborough Hospital and the sum of thirty-two dollars and forty cents (\$32.40) be allowed William F. Pickford of Dublin for hospital bill and loss of income of said Pickford due to injury received July 19, 1933 while employed on state aid road construction in the town of Dublin, provided that the town of Dublin appropriates the same sums for the same purpose. The sums appropriated by the state shall be a charge under the highway funds.

The report was accepted, amendment adopted and the bill sent to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eight hundred seventy-two dollars and twenty cents (\$872.20) be and hereby is allowed Clarence G. Harrington of Dublin for doctors and hospital bills due to injury received July 18, 1933, while employed on state aid road construction in the town of Dublin and that the same be paid as follows: Ninety-six dollars and fifty cents payable to Peterborough Hospital; two hundred dollars (\$200.00) to Dr. F. C. Sweeney; one hundred twenty-five dollars (\$125.00) to Dr. H. G. Lee; two dollars and fifty cents (\$2.50) to Dr. C. H. Jennings; and four hundred forty-eight dollars and twenty cents (\$448.20) to Clarence G. Harrington, provided that the town of Dublin appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

The report was accepted, amendment adopted and the bill sent to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 89, Joint resolution in



favor of Eugene H. Corey, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of sixty-two dollars and twenty-five cents (\$62.25) be and hereby is allowed Eugene H. Corey of Lisbon for damages sustained by him September 12, 1933, while in the performance of his duties on highway work under the Emergency Relief Unemployment work, provided that the town of Lisbon appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

The report was accepted, amendment adopted and the bill sent to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the words and figures "one hundred and one dollars and forty-five cents (\$101.45)" and inserting in place thereof the words and figures fifty dollars and seventy-three cents (\$50.73). Further amend said resolution by adding before the word "hospital" in the third line the words, one-half the; so that said resolution as amended will read:

That the sum of fifty dollars and seventy-three cents (\$50.73) be and hereby is allowed the town of Antrim to reimburse said town for one-half the hospital and doctors' bills paid by it on account of Harry Codman, who was injured while working on a highway in said Antrim. This sum shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the bill sent to the Committee on Finance under the rules.

Senator Sanborn for the Committee on Agriculture, to



whom was referred House Bill No. 220, An act relating to diseases of domestic animals, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill was referred to the Committee on Finance under the rules.

Senator Manson for the Committee on Revision of Laws, to whom was referred Senate Bill No. 69, An act relating to observance of the Lord's Day, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 1 o'clock.

Senator Condon for the Committee on Liquor Laws, to whom was referred Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 1 o'clock.

Senator Barrett under a suspension of the rules introduced a committee report not previously advertised in the Journal.

Senator Barrett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 1 o'clock.

### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 306, An act to create a Fish and Game Commission and to define its powers and duties, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its posi-

tion in adopting its amendments and that the following amendments to the bill be adopted:

MAURICE G. WILEY,

JOHN E. BARRETT,

*Senate Conferees.*

ALLAN M. WILSON,

ALFRED L. GUAY,

WILLIAM J. AHERN,

*House Conferees.*

Amend section 2 by striking out the whole thereof and substituting therefor the following:

2. *Appointment.* There shall be a fish and game commission of five members, each well informed on the subject of wild life conservation and restoration, appointed by the governor with the advice of the council. Not more than three commissioners shall be of the same political party. One member shall be a resident of either Coos or Carroll county, another of either Grafton or Sullivan county, another of either Merrimack or Belknap county, another of either Rockingham or Strafford county and another of either Cheshire or Hillsborough county. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

Amend section 6 by striking out the whole thereof and substituting therefor the following:

6. *Quorum.* A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power, except that in any action upon the appointment or removal of the director, a majority of the commission must act affirmatively. At least ten days' notice in writing shall be given to all members of any meeting.

Amend section 8 by striking out the whole thereof and substituting therefor the following:

8. *How Chosen; Duties.* The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration

of the wild life resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall execute and file with the state treasurer a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties. He shall have general supervision and control of all activities, functions, and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals and birds, and shall exercise all necessary powers incident thereto.

Amend section 11 by striking out the whole thereof and substituting therefor the following:

11. *Powers and Duties.* Rules, regulations and orders of the director shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having a general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality where such rules, regulations, and orders are applicable; but, if no such newspaper is so published or circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations, and orders may also be given such other publicity as the director may deem desirable. The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications

the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just.

Amend section 15 by striking out the whole thereof and substituting therefor the following:

15. *Cooperation.* The director shall enter into cooperation with the departments of the Federal government and of this and all other states, for the protection, propagation and preservation of fish, game and fur-bearing animals in this state, and shall execute all matters pertaining thereto, including a biological survey of the state.

Amend paragraph (i) of section 18 by striking out the whole thereof and substituting therefor the following:

(i) To seize all fishing tackle, guns, shooting and hunting paraphernalia, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Amend section 21 by striking out the whole thereof and substituting therefor the following:

21. *Removals, Only for Cause.* No conservation officer or superintendent of hatcheries in the service of this department shall be removed therefrom except for such cause as will promote the efficiency of said service, and for reasons given in writing by the director, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing, and furnishing affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the director; and copies of charges, notice of a hearing, answer, reasons for removal, and of the order of removal, shall be made a part of the records of this department, as shall also



the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected, upon request.

Amend section 29 by striking out the whole thereof and substituting therefor the following:

29. *Control of Expenditures.* The commission shall govern the financial policies of the department, and shall fix the budget for the operation and maintenance of its work for each fiscal year, which budget shall not be exceeded by the director. The fish and game fund shall be used and expended only for such purposes as the commission may direct. The director shall not contract any indebtedness or obligation beyond the funds available, or presently to be available, for his use.

Amend said bill by adding after section 23 the following new subdivisions:

#### SPECIAL AREAS IN WHITE MOUNTAIN NATIONAL FOREST

24. *Authority for Establishment.* The forest service of the United States department of agriculture is hereby authorized to make reasonable rules and regulations for the protection of game and other animals, birds and fish on such area or areas in the White Mountain forest reserve as shall be designated from time to time by said forest service with the written approval of the commission. Said areas shall be designated as areas for the propagation, rearing and protection of fish and game and other wild life. A description of said area or areas and a plan or map thereof shall be filed in the office of said commission.

25. *Limitation.* At no time shall the areas designated as in section 24 exceed one hundred thousand acres, in total.

26. *Posting.* A copy of any rule or regulation made under the provisions of section 24, attested by an official or employee of said forest service, shall be posted on the designated area to which said rules and regulations are made applicable and a like copy, with the affidavit of posting thereon shall be filed for record in the office of the commission and in the office of the secretary of state.



27. *Penalty.* Whoever shall violate any rule or regulation made pursuant to the provisions of section 24 and posted and filed as provided for herein shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

28. *Application of Laws.* During the period any such rules or regulations shall be in force the laws of the state relative to fish and game inconsistent therewith shall be suspended.

Amend said bill by renumbering sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 to be respectively sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39.

The report was accepted and the amendments adopted.

#### RECESS

The Senate re-assembled.

#### INTRODUCTION OF BILL

Senator Kelley under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 74, An act providing for a special vote in the town of Errol.

#### COMMITTEE REPORT

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following: 1. *Aerial Tramway.* For the purpose of constructing an aerial tramway on Cannon mountain in the Franconia notch and for the further purpose of maintaining and operating the same to-

gether with the necessary appurtenances thereof after construction, there is hereby created an agency of the state composed of a commission of five members, not more than three of whom shall be of the same political party, to be known as the New Hampshire Aerial Tramway Commission, hereinafter called the commission, composed of the comptroller ex-officio and four members to be appointed by the governor with the advice and consent of the council. The term of office of the first appointive members shall be one, two, three and four years respectively. The length of the term of each to be fixed in his commission and he shall continue in office until his successor has been appointed and qualified. Thereafter each year, beginning in the year 1936, one member of said commission shall be appointed for a term of four years. If a vacancy shall occur in said commission, it shall be filled for the remainder of the term. The members of the commission shall serve without compensation except that they shall be reimbursed for their actual expenses while engaged in the business of the commission. The majority of the commission shall constitute a quorum.

The report was accepted, amendment adopted and the bill as amended sent to the House of Representatives for concurrence in the Senate amendment.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and joint resolution:

Senate Bill No. 65, An act relating to the closing of highway crossings.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

HARRY MANSON,  
*For the Committee.*

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon was made in order at the present time.

## THIRD READINGS

The following entitled bills were read a third time and passed:

Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt.

Senate Bill No. 69, An act relating to observance of the Lord's Day.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

On motion of Senator Carter, the Senate adjourned.

---

THURSDAY, JUNE 6, 1935.

The Senate met according to adjournment.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk.

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate.

House Bill No. 315, An act relative to aid for dependent mothers.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department, legislative expense, and State board of health.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 26, An act relative to glaring head lights on motor vehicles.

Amend section 1 by striking out in line 7 the words "thirty-

two candle power," and substituting therefor the words: "that approved by the commissioner," so that said section as amended shall read as follows:

1. *Motor Vehicle Head Lamps.* Amend chapter 103 of the Public Laws by adding after section 8 the following new section: 8-a. *Use of Certain Lights Prohibited.* If any person shall use any electric bulb or other lighting device for use in motor vehicle head lamps on the highway of this state of a greater capacity than that approved by the commissioner, the same shall be fined not more than fifty dollars.

On motion of Senator Manson, the bill with the adoption of the amendments pending was laid upon the table.

The message further stated that the House of Representatives refuses to concur with the Senate in the passage of the following bill and joint resolution:

Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin.

Senate Bill No. 69, An act relating to observance of the Lord's Day.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 373, An act in relation to emergency public works.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Bill No. 426, An act relating to railroads and public utilities.

Senate Bill No. 56, An act relating to liability of towns.

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to House Bill No. 306, An act to create a fish and game commission and define its powers and duties.

The House of Representatives has refused to concur with the Honorable Senate in its amendments to the following entitled bill, House Bill No. 305, An act to revise and amend the fish and game laws and asks for a committee of conference. The Speaker has appointed as members on such committee on the part of the House, Messrs. Guay of Laconia, Stobie of Hooksett and Mitchell of Campton.

On motion of Senator Barrett, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above motion, the President appointed Senators Wiley and Barrett.

#### READ AND REFERRED

The following entitled bill and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 315, An act relative to aid for dependent mothers.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

To the Committee on Finance,

House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department, legislative expense, and State board of health.

#### COMMITTEE REPORTS

Senator Barrett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 19, An act relating to



the taking of trout in Martin Meadow pond in Lancaster, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate. Subject matter covered by House Bill No. 330.

The report was accepted and resolution adopted.

Senator Sanborn for the Committee on Public Improvements, to whom was referred House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals and other devices, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom were referred House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on Claims, to whom was referred House Bill No. 413, An act relative to the powers of the superior court, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "as the court may order" in the eighth line and inserting in place thereof the words, if not satisfactory to found a decree upon, so that said section as amended shall read as follows:

1. *Superior Court.* Amend chapter 316 of the Public Laws by adding after section 12 a new section, to be known as section 12-a, to read as follows: 12-a. *Findings by Jury on Issues Framed.* In probate appeals and bills in equity, when issues are framed and tried by jury, the verdict or find-

ings of the jury shall be advisory and may be modified or set aside if not satisfactory to found a decree upon.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

#### BILL ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

HAVEN DOE,  
*For the Committee.*

#### INTRODUCTION OF BILL AND JOINT RESOLUTION

Senator Bailey under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

On motion of Senator Cole, the rules were suspended and printing dispensed with.

Senator Bailey under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution which was read a first and second time, laid upon the table to be printed and referred to the Committee on Finance.

Senate Joint Resolution No. 19, Joint resolution to reimburse certain persons for live stock killed and damages done by bears.

#### RECESS

The Senate re-assembled.

On motion of Senator Cole, the rules were suspended to dispense with the public hearing upon Senate Bill No. 75, An

act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935, and introduced a committee report not previously advertised in the journal.

Senator Butler for the Committee on the Judiciary, to whom was referred Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Cole, the rules were suspended and the bill was read a third time and passed.

#### ORDER VACATED

The President vacated the order whereby Senate Joint Resolution No. 19, Joint resolution to reimburse certain persons for live stock killed and damages done by bears, was sent to the Committee on Finance and recommitted it to the Committee on Claims.

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon was made in order at the present time.

#### THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed:

House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals and other devices.

House Bill No. 413, An act relative to the powers of the superior court.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it be to meet Friday morning at nine o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Roberts, the Senate adjourned.

---

FRIDAY, JUNE 7, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the Chair, read the following communication:

Concord, N. H., June 7, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,

*President.*

There being manifestly no quorum present, Senator Marston declared the Senate adjourned.

---

MONDAY, JUNE 10, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., June 10, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,

*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

TUESDAY, JUNE 11, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Harrington was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 432, An act increasing the tax on legacies and succession.

House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris N. Freeman.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following joint resolutions with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Amend said joint resolution by adding at the end thereof the words, and shall be a charge upon the highway funds, so that said joint resolution as amended will read as follows:

That for the year 1935 the sum of \$6000 be and hereby is appropriated for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill making a connecting link between Route 112 to the Benton road. The sum appropriated shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

On motion of Senator Bailey, the Senate voted to concur in the amendment sent down by the House of Representatives.



Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand five hundred dollars (\$2,500.00) for the year 1935 be and hereby is appropriated for the completion of the Barrington Depot road, from Barrington Depot to Rochester, provided that the town of Barrington appropriates the sum of one thousand two hundred fifty dollars (\$1,250.00) for the said year and the same purpose. It is further provided that if the town of Barrington makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

On motion of Senator Calef, the Senate voted to concur in the amendment sent down by the House of Representatives.

The message further stated that the House of Representatives has voted to accede to the request of the Honorable Senate for a committee of conference on Senate Bill No. 66, An act relating to the escheat of estates, and the Speaker has appointed as members on the part of the House Messrs. Smart of Tilton, Pillsbury of Derry and Woods of Mont Vernon.

#### READ AND REFERRED

The following entitled bill and joint resolution sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Finance,

House Bill No. 432, An act increasing the tax on legacies and successions.

To the Committee on Claims,

House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris N. Freeman.

On motion of Senator McLeod, the rules were suspended, reference to committee dispensed with and the foregoing entitled joint resolution read a third time and passed.

### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom were referred:

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H. *et als*.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing joint resolutions were ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was

referred House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the resolution by adding after the figures, 1935, in line 17 the words and figures, and July 1936.

Further amend the resolution by adding after the figures, \$10,000, in line 18 the words, for each of the years 1935 and 1936.

Further amend the resolution by adding after the figures, 1936, in line 21, the word and figures, and 1937, so that the resolution as amended shall read as follows:

WHEREAS, The six New England States, through their respective Governors, in a convention called by the Recreational Division of the New England Council, endorsed a plan to more adequately advertise the recreational advantages of New England by creating an advertising fund of \$150,000, and

WHEREAS, This fund was to be raised as follows: \$50,000 by the New England Council and \$100,000 to be assessed to the six New England states on the basis of the amount of recreational property in each state; said assessment to be determined by the research departments of the New England Council, and

WHEREAS, The proper assessment against New Hampshire is determined to be \$17,800, therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of \$17,800 be and hereby is appropriated for the New England Council Advertise New England Fund; and said sum is to be paid to the treasurer of the New England Council in July, 1935 and July, 1936. The Governor is hereby authorized to draw his warrant for \$10,000 for each of the years 1935 and 1936 in part payment for the same from any money in the treasury not otherwise appropriated. The balance of \$7,800 is to be a charge on the 1936 and 1937 funds of the State Planning and Development Commission.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on Claims, to whom was referred:

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend the bill by striking out the words, one thousand and fourteen dollars (\$1,014), after the word, sum, in line 1 and inserting in place thereof the words, seven hundred ninety-nine dollars and forty-five cents (\$799.45), so that the bill as amended shall read as follows:

That the sum of seven hundred ninety-nine dollars and forty-five cents (\$799.45) be and hereby is appropriated to reimburse the town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state-aid road in Holderness June 22, 1933. Said sum shall be a charge upon the highway fund.

The report was accepted, amendment adopted and the joint resolution referred to the Committee on Finance under the rules.

Senator Butler for the Committee on Claims, to whom was referred:

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding at the end thereof the following:

The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, amendment adopted, and the joint resolution sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 306, An act to create a fish and game commission and to define its powers and duties, Having considered the same, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by adding before section 1 the following:

1. *New Chapter.* Amend chapter 196 of the Public Laws, as amended by chapter 90 of the Laws of 1933, by striking out the entire chapter and inserting in place thereof the following new chapter.

Amend section 8 of said bill by striking out the words "state treasurer" and inserting in place thereof the words, secretary of state.

Amend section 23 by striking out the word "position" and inserting in place thereof the words, a position.

Amend section 31 of said bill by striking out the words "of this act" and inserting in place thereof the word, hereof; by striking out the words, "in this act" and inserting in place thereof the word, herein; and by striking out the word "funds" and inserting in place thereof the words, fish and game fund.

Amend said bill by making the following renumbering of sections:

Section 34 to read section 33;

Section 35 to read section 34;

Section 33 to read section 2;

Section 37 to read section 4;

Section 38 to read section 35;

Section 39 to read section 5.



Amend said bill by striking out section 36 and inserting in place thereof the following:

3. *Repeal.* Sections 44 to 49, inclusive, of chapter 197 of the Public Laws and sections 64 to 68, inclusive, of said chapter 197 as inserted by chapter 31, Laws of 1929, and chapter 38, Laws of 1931, and all acts or parts of acts inconsistent herewith are hereby repealed.

Amend section 11 of said bill by striking out the word "act" in the last line and inserting in place thereof the word, section.

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in the Senate amendment.

### COMMITTEE OF CONFERENCE REPORTS

The Committee of Conference to whom was referred House Bill No. 336, An act relating to public employment of veterans, Having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and that the following amendments be adopted:

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. In public employment of clerks, office help, mechanics, teachers, teamsters, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the construction of public works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall first be given to citizens of the state on the basis of need, provided, however, that in cases of equal or greater need, or in cases where need is not a consideration, citizens of the state who have served in the Army, Navy and/or Marine Corps of the United States in time of war, and have been honorably discharged

therefrom or released from active duty therein, and who are qualified to perform the work to which the employment relates, shall be given preferment.

Amend section 2 by striking out all after the word "towns" in line 3 and substituting therefor the words, as hereinbefore provided, so that said section as amended will read as follows:

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said veterans in said services of their respective cities and towns, as hereinbefore provided.

ARTHUR T. APPLETON,  
HENRY L. ESTABROOK,  
ALVIN E. FOSS,

*House Conferees.*

JOHN J. CONDON,  
ELIOT A. CARTER,

*Senate Conferees.*

On motion of Senator Carter, the Senate voted to accept the report of the Committee of Conference and adopt the amendments.

The Committee of Conference, to whom was referred House Bill No. 305 (in new draft), An act to revise and amend the Fish and Game Laws, reports the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and that the following amendments to the bill be adopted:

Amend chapter 197, section 1 of the bill by inserting after the word "hand" in line 2 of the paragraph marked "Angling" the words, to which is attached a cast of artificial flies, or an artificial bait, or one hook for bait; so that said paragraph as amended will read:

*Angling:* The taking of fish by line in hand, or rod in hand, to which is attached a cast of artificial flies, or an artificial bait, or one hook for bait. A person may have in use not more than two such lines at one time. Nothing in this title shall prohibit the use of a rod-holder in a boat.

Amend chapter 201, section 11 of the bill by adding after the word, forty, in line 2 the words, or ten pounds of, so that said section as amended shall read as follows:

11. *Yellow Perch.* A person may take a total of not more than forty or ten pounds of yellow perch in one day provided that so long as he had taken less than ten pounds he shall be entitled to take one additional fish.

M. G. WILEY,  
JOHN E. BARRETT,  
*Senate Conferees.*

ALFRED L. GUAY,  
LESTER E. MITCHELL,  
ROBERT H. STOBIE,  
*House Conferees.*

On motion of Senator Roberts, the Senate voted to accept the report of the Committee of Conference and adopt the amendments.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 206, An act relating to state, county and municipal contracts.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

HARRY MANSON,  
*For the Committee.*

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at 1 o'clock was made in order at the present time.

#### THIRD READINGS

The following joint resolutions were read a third time and passed:

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H., et als.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

#### RECESS

The Senate reassembled.

#### COMMITTEE REPORT

Senator Barrett for the Committee on Fisheries and Game, to whom was referred:

House Bill No. 330, An act relating to the taking of fish from certain waters, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 by striking out in line 4 the words "Round Pond, Back Lake";

Further amend section 1 by adding after the word "Mills-field" in line six the words, Stratford Bog in Stratford;

Further amend section 1 by striking out the words "Lily Pond and Saltmarsh Pond in Gilford" in line 12; after the

word "Sanbornton", and substituting therefor the words, Duck Pond; in Weare;

Further amend section 1 by adding after the word "Warren" in line 17 the words, Lake Armington in Piermont, Shaw Pond in Franklin, and Stirrup Iron Brook Pond in Salisbury;

So that said section as amended will read:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length, may be taken only by the use of artificial flies from Coon Brook Bog, Parmachenee Bog, Scott's Bog, all in Pittsburg, Clarksville Pond in Clarksville, Little Millsfield Pond and Moose Pond in Millsfield, Stratford Bog in Stratford, Beaver Pond in Woodstock, Sawyer Pond in Livermore, Profile Lake in Franconia, Shawtown Pond in Freedom, White Pond in Ossipee, Echo Lake in Conway, James Pond in Tamworth, and Glen Ellis River between covered bridge in Jackson and Goodrich Falls Dam in Bartlett, from May 1 to October 1; and from Badger Reservoir and Grimstone Reservoir in Belmont, Hunkins Pond in Sanbornton, Duck Pond in Weare, March Pond in Hill, Moody Pond in Weare, Stonehouse Pond in Barrington, Pleasant Pond in Warner, Round Pond in Nottingham, and Scobie Pond in Derry from May 1 to September 1; from Upper Pond of Ellsworth Three Ponds in Ellsworth and Warren, Lake Armington in Piermont, Short Pond in Franklin, and Stirrup Iron Brook Pond in Salisbury, from July 1 to October 1. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch.

Amend section 2 by striking out in line 8 the words "Stratford Bog, so-called, in Stratford", and substituting in place thereof the following, Round Pond in Pittsburg, and Lily Pond and Saltmarsh Pond in Gilford;

Further amend section 2 by striking out in line 14 the word "Marlboro" and inserting in place thereof the word, Marlow;



Further amend section 2 by adding at the end thereof, No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow Pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish;

So that said section as amended will read:

2. *Brook Trout; Bait and Fly Fishing.* Brook trout not less than seven inches in length may be taken by the use either of bait or artificial flies from Hall Ponds in Sandwich, Robartwood Lake in Campton, Spectacle Pond in Groton and Hebron, from May 1 to September 1, and during the month of September by the use of artificial flies only; from Round Pond in Pittsburg, and Lily Pond and Saltmarsh Pond in Gilford, and Little Diamond Pond in Stewartstown from May 20 to September 1, and during the month of September by the use of artificial flies only; and from Nippo Pond in Barrington, Ferrin Pond and Mount William Pond in Weare, Stone Pond and Gustin Pond in Marlow, Rocky Bound Pond in Croyden and Lucas Pond in Northwood from May 1 to August 1, and during the month of August by the use of artificial flies only. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow Pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish.

Amend section 4 by adding after the word "Lyman" in line 6 the words, Partridge Lake in Lyman and Littleton;

Further amend section 4 by striking out in lines 8 and 9 the words "Big Dan Hole Pond in Ossipee and Tuftonboro";

Further amend section 4 by inserting in line 22, after the word "Barrington" the words, Ferrin Pond in Weare;

Further amend section 4 by striking out the word "three" in line 23 and inserting in place thereof the word four;

Further amend section 4 by striking out the words "Suncook River" in line 25 and inserting in place thereof the words, Martin Meadow Pond in Lancaster;

Further amend section 4 by adding at the end thereof the words, from June 1 to October 1;

So that said section as amended will read:

4. *Pickerel*. Pickerel of any size and in any quantity may be taken and possessed at any time from Sunapee Lake, Crystal Lake in Enfield, Tewksbury Pond in Grafton, Elbow Pond in Woodstock, Pearl Lake in Lisbon, Ogontz Lake, Dodge Pond, Round Pond, and Flag Pond in Lyman, Partridge Lake in Lyman and Littleton, Ellsworth Pond in Ellsworth, Post Pond in Lyme, Merrymeeting Lake in New Durham, Middleton Reservoir in Middleton, Silver Lake in Madison, Mason Pond in Orford, Rocky Pond in Wentworth, Armington Pond and Lake Tarleton in Piermont and Warren, Newfound Lake in Hebron, Bridgewater, Bristol and Alexandria, Highland Lake, Elbow Pond and Bradley Pond in Andover, Nubanusit Lake in Hancock and Nelson, Spectacle Pond in Groton and Hebron, Rust Pond in Wolfeboro, Mirror Lake in Tuftonboro, Stinson Lake in Rumney, Pea Porridge Pond in Madison and Conway; Town Line Pond in Dorchester and Wentworth, Trout Pond in Dorchester, Lamprey Pond in Orford, Cochecho River, Contoocook River from Cheshire Mill Pond outlet in Jaffrey to Merrimack River, all waters of Coos County inhabited by trout, Pleasant Lake in New London, Nippo and Stonehouse Ponds in Barrington, Ferrin Pond in Weare, except that pickerel may not be taken through the ice from the last four named waters, and all other streams in the state inhabited by trout

except Martin Meadow Pond in Lancaster, Pow-Wow River, Winnepesaukee River, and Pemigewasset River, from June 1 to October 1.

Amend section 5 by inserting after the word "ice" in line 2 the words, Partridge Lake in Lyman and Littleton, Spectacle Pond in Groton and Hebron, Stinson Lake in Rumney, Mount William Pond in Weare, Lake Tarleton in Piermont and Warren, Bradley Pond in Andover, Martin Meadow Pond in Lancaster, Big Dan Hole Pond in Ossipee and Tuftonboro, Gorham Pond in Dunbarton; and Long Pond in the towns of Stoddard and Washington.

So that said section as amended will read:

5. *Closed to Ice Fishing.* The following waters are closed to fishing through the ice: Partridge Lake in Lyman and Littleton, Spectacle Pond in Groton and Hebron, Stinson Lake in Rumney, Mount William Pond in Weare, Lake Tarleton in Piermont and Warren, Bradley Pond in Andover, Martin Meadow Pond in Lancaster, Big Dan Hole Pond in Ossipee and Tuftonboro, Gorham Pond in Dunbarton, Scott Pond in Fitzwilliam, Mountainview Lake in Sunapee, Zephyr Lake and Sunset Lake in Greenfield, Tucker Pond in Salisbury, Nutt Pond in Manchester, Great Pond in Kingston, Northwood Lake in Northwood, Pleasant Lake in New London, Nippo and Stonehouse Ponds in Barrington, Island Pond and Robb's Reservoir in Stoddard, Mirror Lake in Whitefield, Lake Winnipauket in Webster and Long Pond in the towns of Stoddard and Washington.

Amend section 6 by adding at the end of said section the words, and all tributaries of Little Sunapee Lake in New London and Bradley Lake in Andover;

So that said section as amended will read:

6. *Closed to Smelt Fishing.* The following waters are closed to smelt fishing: Dana Hines brook in Meredith, Dublin Pond and the Outlet as far as Clark's Mill Pond Dam in Dublin, White Pond in Ossipee, Black Brook in Sanbornton, for a distance of two hundred yards above its middle mouth to a point one hundred and fifty yards out into the lake from its middle mouth, Massabesic Lake and all its tributaries in

Manchester and Auburn, Spofford Lake and its tributaries in Chesterfield, Silver Lake and its tributaries in Madison, Massasecum Lake in Bradford, Pleasant Pond and its tributaries in Deerfield, Mascoma River in Mascoma and Lebanon from the outlet of the lake to the south ends of the abutment of the first railroad bridge, First Connecticut Lake and its tributaries in Pittsburg, all tributaries of Sunapee Lake, Highland Lake and its tributaries in Andover, all tributaries of Webster Lake in Franklin, Echo Lake in Marlow and Lempster, Inlet Brook to Ledge Pond in Madison, all tributaries of Loon Lake in Freedom, Nubanusit Lake in Hancock, all tributaries to Lake Tarleton in Piermont and Swanzy Lake in Swanzy, and all tributaries of Little Sunapee Lake in New London and Bradley Lake in Andover.

Amend section 7 by striking out in line 3 after the words "New Found Lake" the words "Connor Brook in Auburn", and inserting in place thereof the words, the tributaries of Dan Hole Pond in Tuftonboro and Marshall Pond in the Town of Unity;

Further amend section 7 by striking out in line 4, after the word "Londonderry" the words, "Mallego Brook within the Heath Sanctuary in Barrington, Madbury and Dover";

Further amend section 7 by striking out in line 9, after the word "Haverhill" the words "Village Brook in Bradford from its source to the new dam for five years from April 8, 1931; Summit Brook and Sargent Brook in Canaan for five years from May 4, 1932; that part of Stevens Brook in Claremont flowing into the rearing pool of the Claremont Fish and Game Club for five years from June 29, 1932";

Further amend section 7 by adding after the word "Grant" in line 16 the words, all tributaries of Loon Lake in Freedom except Village Brook and Bennett Brook shall be closed only from Loon Lake to their respective highway road bridges, Connecticut Lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut Lake level, and Big Brook east of the road leading to Idlewild to the Connecticut River, and Smith Brook in Pittsburg from the dam to the main river;



Further amend section 7 by striking out in line 17, after the word "River" the words "for three years from May 18, 1934" and substituting therefor the word tributaries;

Further amend section 7 by striking out in line 18, after the word "Easton" the words "and all its tributaries from its source to the highway leading from Lost River to Franconia; all tributaries of Webster Lake in Franklin, except Sucker Brook, for five years from May 4, 1932; the outlet of Webster Lake in Franklin from the Lake to the screen for five years from May 4, 1932; Haynes Brook in Franklin from the Daniel Webster Highway to Winnepesaukee River;

Further amend section 7 by striking out after the word "Brook" in line 24 the words "as far up as the so-called Glen House Dam, for five years from May 4, 1932";

Further amend section 7 by striking out the words "all streams" in line 29 and substituting therefor the word tributaries;

Further amend section 7 by striking out the word "itself" in line 30 and substituting therefor the word tributaries;

Further amend section 7 by striking out after the word "Easton" in line 31 the words, "and all its tributaries from its source to the old mill site";

Further amend section 7 by adding after the word "Bridge" in line 39 the words tributaries of, and by striking out after the word "Peterboro" the words "Round Pond Brook in Pittsburg";

Further amend section 7 by striking out after the word "Rumney" in line 40 the words "from its source to the falls below Morrill's Meadow";

Further amend section 7 by striking out after the word "Tuftonboro" in line 41 the words "from the New Road Bridge, so-called, to its mouth";

Further amend section 7 by adding after the word "Washington" in line 43 the words tributaries of;

Further amend section 7 by striking out after the words "New Durham" in line 45 the words "and the streams between Tioga and Sargent Reservoirs and Badger Reservoir in Belmont";



Further amend section 7 by striking out after the word "Belmont" in line 47 the words "King, Goldsmith and Farrell Brooks";

Further amend section 7 by striking out after the word "Wilton" in line 49 the words "for five years from June 5, 1931";

Further amend section 7 by adding after the word "Durham" in line 53 the words, Loon Lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount. Back Lake in Pittsburg shall be closed until May 20, 1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only.

So that said section as amended will read:

7. *Closed to All Fishing.* The following waters are closed to all fishing: Fowler River between Ted Lard's Dam in Alexandria and the covered bridge on the highway around Newfound Lake, the tributaries of Dan Hole Pond in Tuftonboro and Marshall Pond in the Town of Unity, Sand Hill Brook in Auburn, Derry and Londonderry, Spring Pond Brook in Bennington, Tunnel Stream in Benton and all its tributaries above the Parker House, Oliverian Brook and all of its tributaries in Benton and Warren from its source to where it crossed the state highway on the highway leading from Warren to Haverhill; all tributaries of Dead Diamond River including Lamb Valley Pond in Dartmouth College Grant; all tributaries of Swift Diamond River in the Dartmouth College Grant; all tributaries of Loon Lake in Freedom except Village Brook and Bennett Brook shall be closed only from Loon Lake to their respective highway road bridges, Connecticut Lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut Lake level, and Big Brook east of the road leading to Idlewild to the Connecticut River, and Smith Brook in Pittsburg from the dam to the main river; Twitchell Brook in Dummer flowing east into Androscoggin River; tributaries of Morse Brook in Easton; all tributaries of Peabody

River in Green's Grant except the West Branch and Nineteen-mile Brook; Amos Pike or Starch Factory Brook from its source to the highway leading from the state road to the French Pond Road, Lime Kiln Brook and all its tributaries above No. 6 Schoolhouse, Granny Clark Brook, and all its tributaries, all in Haverhill, for two years from May 1, 1935; tributaries of the West Branch watershed of the Ammonoosuc River in Kilkenny including the West Branch. Tributaries of Bowen Brook in Landaff and Easton; Trout Brook, so-called, the inlet of Post Pond in Lyme upstream from the Pond for a distance of approximately two miles to the falls; Alder Brook, a tributary to Stearns Brook in Milan and Success, Leavitt Stream in Milan, all tributaries of Merry-meeting Lake in New Durham, all tributaries of Pleasant Lake in New London, and that portion of Pleasant Lake which forms a cove into which Chandler Brook flows out to a line between two markers approximately one hundred yards south from Chandler Bridge, tributaries of Taggart Brook in Peterboro, Three Pond Brook in Rumney, Melvin River in Tuftonboro, all brooks in the Pillsbury Reservation in Washington; tributaries of King, Goldsmith and Farrell Brooks, tributaries of Souhegan River in Wilton; Gilford Brook in Gilford, Poor Farm Brook in Alton, Shannon Brook in Moultonboro, all tributaries of Merrymeeting Lake in New Durham. Loon Lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount; Back Lake in Pittsburg until May 20, 1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only; and the streams between Tioga and Sargent Reservoirs and Badget Reservoir in Belmont.

On motion of Senator Doe, further reading of the amendments was dispensed with.

The report was accepted, amendments adopted and the bill ordered to a third reading tomorrow morning at ten o'clock.

On motion of Senator Roberts, the rules were suspended,

and the foregoing entitled bill was read a third time and passed.

BILL RECALLED FROM THE GOVERNOR

On motion of Senator Condon, the following resolution was adopted:

*Resolved*, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

BILL RETURNED FROM THE GOVERNOR

Pursuant to the above request, His Excellency returned House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

On motion of the same Senator, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

On motion of the same Senator, the Senate voted to recommit the bill to the Committee on Liquor Laws.

On motion of Senator Cole, the Senate adjourned.

---

WEDNESDAY, JUNE 12, 1935.

The Senate met according to adjournment.

LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 113, An act relating to weight of motor vehicles.

House Bill No. 429, An act regarding the compensation of county commissioners.

House Bill No. 224, An act relating to disposal of profits obtained by towns through sale of real estate bought for taxes.

House Bill No. 329, An act relating to labor and industry.

House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill and joint resolution:

Senate Bill No. 70, An act relating to the Woodsville fire district.

Senate Joint Resolution No. 14, Joint resolution providing for an unpaid commission on interstate cooperation.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 413, An act relative to the powers of the superior court.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels.

Amend said bill by adding after section 1 the following new section:

2. *Price of Beverages.* Amend chapter 99, Laws of 1933, by adding after section 32 the following new section: 32-a. *Limitation.* The price to be charged by holders of on-sale permits for a glass or other container of beverage shall not exceed one hundred and fifty per cent of the cost price.

Further amend said bill by renumbering section 2 to read section 3.

Amend the title of said bill by adding at the end thereof the words, and the price charged for beverages, so that said title as amended shall read as follows:

An act relating to the sale of beverages by certain first-class hotels and the price charged for beverages.

On motion of Senator Condon, the Senate voted to concur in the adoption of the amendment sent down by the House of Representatives.

The message further stated that the House of Representatives has adopted the report of the Committee on Conference to the following entitled bills:

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 305, An act to revise and amend the fish and game laws.

The message further stated that the House of Representatives has refused to concur with the Senate in the passage of the following bill:

Senate Bill No. 40, An act relating to a minimum wage for women and minors.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Transportation,

House Bill No. 113, An act relating to weight of motor vehicles.

To the Committee on the Judiciary,



House Bill No. 429, An act regarding the compensation of county commissioners.

To the Committee on Revision of Laws,

House Bill No. 224, An act relating to disposal of profits obtained by towns through sale of real estate bought for taxes.

To the Committee on Finance,

House Bill No. 329, An act relating to labor and industry.

On motion of Senator Carter, the order whereby the foregoing entitled bill was referred to the Committee on Finance was vacated and the bill was referred to the Committee on Labor.

To the Committee on Finance,

House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire.

To the Committee on Claims,

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

### COMMITTEE REPORTS

Senator Butler for the Committee on the Judiciary, to whom was referred:

House Bill No. 315, An act relative to aid for dependent mothers.

House Bill No. 422, An act to repeal charters of certain corporations, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred House Joint Resolution No. 137, Joint resolution in favor of William S. Brewer and others, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

Senator Butler for the Committee on the Judiciary, to whom was referred Senate Bill No. 27, An act relating to

Federal transient camps, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senators Butler and Calef for the Joint Committee on the Judiciary and Finance, to whom was referred House Bill No. 447, An act to establish the New Hampshire water resources board, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by striking out sub-section (4) of section 3 and inserting in place thereof the following new sub-section:

(4) To sell and dispose of property rights and easements therein not needed in the judgment of the board for the purposes of this act.

Further amend said bill by striking out the words "if available at prices believed by it to be reasonable" in lines 5 and 6 of section 8, and inserting in place thereof the following: lease or otherwise, under such terms, conditions and prices as they deem reasonable and desirable;

Further amend said bill by adding after the word "damages" in line 3 of sub-section (c) of section 8 the following: one of whom shall be a resident of the city or town wherein such real estate is located;

So that said section as amended will read as follows:

8. *Acquisition of property.* For the purpose of constructing any project within its authority under the provisions of this act, said corporation may acquire such real estate or other property, water rights, flowage rights and other rights hereinafter collectively referred to as real estate as may be needed, by purchase, lease or otherwise, under such terms, conditions and prices as they deem reasonable and desirable, otherwise by condemnation thereof for the use of the State in the manner hereinafter provided, namely:

(a) Said corporation shall in such cases cause a survey or location of the real estate proposed to be taken to be prepared in duplicate, one copy of which shall be filed with the Secretary of State and the other with the Clerk of the Supe-

rior Court in the county in which all or any portion of such real estate is located and shall petition said court to appoint commissioners to assess the damages to the owners. Such petition shall state the name and residence so far as known to said corporation of all persons claiming ownership of or interest in the real estate proposed to be taken.

(b) The Superior Court, upon the filing of any such petition, shall order notice thereof to be given to all persons claiming ownership of or interest in such real estate to appear and present their claims at a time and place to be stated in the notice, by publication in a newspaper published in the town or city in which the real estate is situated, if any, otherwise in a newspaper published within the county; and an attested copy of such notice shall be given in hand to, left at the usual place of residence or business of, or sent by registered mail to the last known address of all claimants whose names appear in the application, fourteen days at least before the said date of hearing. The Superior Court shall hear the claims of all persons who shall appear and shall determine all questions of title, and, in case more than one person shall be found to have an interest in such real estate, shall determine the several interests of each and enter a decree accordingly; and such decree shall be final except upon questions of law and as herein provided.

(c) Upon final determination of any or all of said questions of title the court shall appoint a commission of three persons to assess damages, one of whom shall be a resident of the city or town wherein such real estate is located. Said commissioners, upon reasonable notice to all persons found by the court to have an interest in the property and after hearing, shall assess the damages and make return of such assessment to the court.

(d) Any claimant or the corporation, if dissatisfied with said decree as to title or such assessment of damages shall be entitled to a trial by jury, by filing in the office of the clerk of said court a petition for that purpose within thirty days after the filing of such decree or the return of such assessment. In trying any question of damages before

said commissioners or by jury, the appraisal for taxation of such real estate, and in cases where less than the whole interest in real estate is sought to be acquired, the appraisal for taxation of such whole interest, by the selectmen or tax assessors for the tax year in which such application shall have been filed, and for as many preceding years as the commissioners of the court may consider relevant, shall be competent as evidence of value. The damages as finally determined shall be awarded to the owner or apportioned among the several owners in accordance with their several interests as finally determined and a decree shall be entered accordingly.

(e) All such petitions shall be prosecuted to final judgment on behalf of the corporation by the Attorney General or such other person as may be designated by the Governor and Council.

(f) Upon the filing of any such petition in the Superior Court, said corporation shall be entitled to enter into possession of such real estate and title thereof shall be vested in the state after final decree and payment of damages as above provided. For purposes of surveying and other investigation, said corporation shall be entitled to enter upon any real estate, doing no unnecessary damage, and the owner thereof shall be entitled to recover any damage sustained by him by reason of any entry authorized by this section by action at law brought against said corporation. All real estate acquired under the provisions of this act shall be held in the name of the state. Forthwith upon the acquisition by the corporation in the name of the state, through purchase, condemnation, or otherwise of any real estate property or interest or easement therein, or of any water rights, such property or rights shall, without further action, and by virtue of this act, be and become dedicated to the use and purposes of the corporation.

Amend said bill by striking out section 10 and inserting in place thereof the following new section.

"10. *Unlawful Use of Stored Water; Penalty.* As used in this act, the term 'stored water' is hereby defined as water released from storage provided under the terms of this act in



excess of the amount which would naturally flow at the time of such release if storage facilities had not been so provided and maintained. It shall be unlawful for any person to interfere with the flow of any stored waters released from any reservoir constructed under the provisions of this act, except so far as necessary in making reasonable use of the same, or for any person not entitled thereto under a contract as provided in this act to use for power or other purposes any such stored waters and any person, firm or corporation not so entitled, who shall so interfere with the flow of or use for power or other purposes any stored water released from any reservoir constructed under the provisions of this act, shall upon conviction thereof be fined not exceeding five hundred dollars and each and every day of such use shall be a separate offense. The superior court sitting in equity shall have jurisdiction to enjoin the unlawful use of stored water and it shall be the duty of the attorney general to prosecute proceedings for the enforcement of the provisions of this act."

Further amend said bill by striking out section 11 and inserting in place thereof the following new section.

"11. *Water Regulating Committees.* Said board shall appoint a committee or committees of such number as it may determine to regulate and direct the release of stored water from each reservoir at such times and in such quantities as shall be most beneficial to water users under contracts entered into pursuant to the provisions of section 7 hereof and not inconsistent with the public use and benefit and shall not interfere with or obstruct the flow of stored water released from any present or future water storage or conservation reservoirs located upstream from such project; provided that such regulation of use by such committees shall be subject to the provisions of any agreement of the corporation with water users or bond holders. The members of such committee shall continue as such during the pleasure of the board, which shall promptly make new appointments whenever a vacancy occurs from any cause."

Further amend said bill by striking out the figures "1935" in the last line of section 12 and inserting in place thereof



the figures, 1934, so that said section as amended shall read as follows:

12. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each city or town in which property or rights acquired by the corporation are located, of such sums as would have been assessed against said property and rights in such city or town if the same had been included in the tax invoice for such year at the tax valuation of the same on April 1, 1934.

And further amend section 13 of said bill by striking out the words, "except the corporation" and inserting in its place the following, "but shall be payable solely from the revenues and monies of the corporation. The corporation may issue bonds which shall be obligations of the corporation generally, with or without the additional security of a pledge of specific revenues, or it may issue bonds payable only out of the revenues specifically pledged for their payment," so that said section as amended shall read as follows:

13. *Bonds Authorized.* The board is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying the cost or portion thereof of any one or more of such projects. Except as provided in section 17 the bonds of the corporation shall not constitute a debt of the state or of any agency or political sub-division thereof, but shall be payable solely from the revenues and monies of the corporation. The corporation may issue bonds which shall be obligations of the corporation generally, with or without the additional security of a pledge of specific revenues, or it may issue bonds payable only out of the revenues specifically pledged for their payment. Any provision of any law to the contrary notwithstanding any bonds issued pursuant to this act shall be fully negotiable.

In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be

valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The board may in the resolution authorizing respective issues provide as to such bonds: (1) The manner of executing the bonds and coupons; (2) The form and denomination thereof; (3) Maturity dates, not more than fifty years from the date or dates of issue; (4) The interest rates thereon; (5) For redemption prior to maturity and the premium payable therefor; (6) The place or places for the payment of interest and principal; (7) For registration if the Board deems such to be desirable; (8) For the pledging of all or any of the revenues as security for payment; (9) For the replacement of lost, destroyed, or mutilated bonds; (10) The setting aside of reserves and sinking funds and the regulation and disposition thereof; (11) For limitations on the issuance of additional bonds; (12) For the procedure, if any, by which the contract with the bondholders may be abrogated or amended; (13) For the manner of sale and price thereof; (14) For covenants against pledging any of the revenues of the project in priority to such bonds; (15) For covenants fixing and establishing such prices, rates and charges for water and other services made available in connection with such project, so as to provide at all times, funds which will be sufficient (a) to pay all costs of operation and maintenance of such project, together with necessary repairs thereto, (b) to meet and pay the principal and interest of all such bonds as they severally become due and payable and (c) for the creating of such revenues for principal and interest of all such bonds and for the meeting of contingencies and the operation and maintenance of such projects, as the board shall determine; (16) For such other covenants as to such prices, rates and charges as the board shall determine; (17) For covenants as to the rights, liabilities, powers and duties arising upon the breach by the board of any covenant, condition or obligation; (18) For covenants as to the bonds to be issued and as to the issuance of said bonds in escrow or otherwise and as to the use and disposition of the proceeds thereof; (19) For covenants as to the use of its property, the

maintenance and replacement thereof, the insurance to be carried thereon and the use and disposition of insurance money; (20) For limitations upon the exercise of the powers conferred upon the board by this act; (21) For the issuance of such bonds in series and for the respective priority of bond issues or series thereof, and (22) the performance by the corporation of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the board as will tend to make the bonds more marketable, notwithstanding that such acts or things may not be enumerated therein.

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at 1 o'clock.

Senator Calef for the Committee on Finance, to whom were referred:

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.

House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department, legislative expense, and State Board of Health.

House Bill No. 220, An act relating to diseases of domestic animals, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bill and joint resolutions ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred Senate Bill No. 72, An act relating to the membership of the examining board for plumbers, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Barrett for the Committee on Public Health, to whom was referred Senate Bill No. 62, An act relative to the membership of the State Cancer Commission, Having con-

sidered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senator Doe for the Committee on Revision of Laws, to whom was referred House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills.

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Bill No. 301, An act relating to the public service commission.

House Bill No. 373, An act in relation to emergency public works.

House Bill No. 426, An act relative to the operation of a toll road as a public utility.

House Bill No. 441, An act relative to regulation of highways and the control of traffic by signals or other devices.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Senate Bill No. 56, An act relating to liability of towns.

Senate Bill No. 64, An act relative to legal investments of savings banks as determined by the board of investments.

HAVEN DOE,

*For the Committee.*

On motion of Senator Doe, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

## THIRD READINGS

The following entitled bills and joint resolutions were read a third time and passed.

House Bill No. 447, An act to establish the New Hampshire Water Resources Board.

House Bill No. 422, An act to repeal charters of certain corporations.

House Bill No. 315, An act relative to aid for dependent mothers.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.

House Bill No. 220, An act relating to diseases of domestic animals.

House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department, legislative expense, and State Board of Health.

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

On motion of Senator Wiley, the Senate adjourned.

---

THURSDAY, JUNE 13, 1935.

The Senate met according to adjournment.

## LEAVES OF ABSENCE

Senators Kelley and Roberts were granted leave of absence for the day on account of important business.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington.



House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap.

House Bill No. 461, An act authorizing the county of Grafton to issue bonds.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 377, An act relating to the New Hampshire State employment service.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 450, An act relative to the improvement of Rye Harbor.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

House Bill No. 457, An act relating to State building.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following joint resolution:

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill and joint resolution with amendments in the passage of which amendments the House asks the concurrence of the Honorable Senate:

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge.

Amend the caption by striking out the words "Little Bay" and inserting in place thereof the words, General John Sul-

livan memorial, so that said caption as amended shall read as follows:

Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan memorial bridge.

Further amend said resolution by striking out the words "Little Bay" in line 8 and inserting in place thereof the words, General John Sullivan memorial, so that said resolution as amended shall read as follows:

That the sum of sixteen thousand six hundred sixty-seven dollars for the year 1935 be and hereby are appropriated on condition that the town of North Hampton appropriates eight thousand three hundred thirty-three dollars for the improvement of the main or post road, so-called, leading from U. S. Route No. 1 at Hampton in the town of North Hampton to General John Sullivan memorial bridge, if the town of North Hampton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive State aid under the provisions of section 21, chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931, for the year 1935. Said sums appropriated by the State and town shall be expended under the direction of the highway commissioner and the sum appropriated by the State shall be a charge upon the highway funds.

On motion of Senator Brown, the Senate refused to concur in the amendments sent down by the House of Representatives and asked for a committee of conference.

Pursuant to the above motion, the President appointed as conferees on the part of the Senate Senators Brown and Knowlton.

Senate Bill No. 10, An act relating to legal investment by guardians.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: Amend section 22 of chapter 290 of the Public Laws, as amended by section 1, chapter 71 of the Session Laws of 1931, by striking out all of said section as amended and inserting in place thereof the following:

22. *Approved Classes.* Every guardian shall invest in the name of his ward, or in his own name as guardian, the money and the proceeds of all real and personal property of his ward not required for the ward's support, in the following described classes of property only.

I. In notes secured by mortgage of real estate at least double in value of the notes.

II. By deposit in some incorporated savings bank in this state, or in the savings department of a national bank or trust company located in this state.

III. In such other stocks and bonds as are legal investments for savings banks in this state, with the exception of stocks in banking corporations and trust companies.

IV. In free shares, matured shares or investment certificates of any Building & Loan Association organized under, or operating by virtue of chapter 266 of the Public Laws of New Hampshire.

V. Whenever a payment under a life insurance contract shall become payable to a ward in a lump sum, with a right granted to the ward to elect an option to leave the proceeds on deposit with the insuring company and receive periodic interest payments, or an option to receive the benefits in accordance with any plan for periodic payments over a selected term of years, a guardian may exercise the said right in the same way in which his ward might have exercised it had he or she not been under guardianship, except that such payments accruing to a minor shall not extend beyond the minor's twenty-first birthday.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

On motion of Senator Calef, the bill with the amendments attached thereto was laid upon the table.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following joint resolutions and asks for a committee of conference.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

The Speaker has appointed as members on such committee on the part of the House, Messrs. Courtemanche of Allentown, Maxham of Concord and Cormier of Nashua.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a committee of conference and the President appointed as conferees on the part of the Senate Senators McLeod and Doe.

House Bill No. 330, An act relative to the taking of fish from certain waters.

The Speaker has appointed as members on such committee on the part of the House Messrs. Guay of Laconia, Callahan of Keene and Stobie of Hooksett.

On motion of Senator Barrett, the Senate voted to accede to the request of the House of Representatives for a committee of conference and the President appointed as conferees on the part of the Senate Senators Wiley and Barrett.

The message further stated that the House of Representatives has passed the following resolution, in the adoption of which the House of Representatives asks the concurrence of the Honorable Senate.

*Resolved*, That the Speaker of the House appoint a committee of five, and the Senate be invited to concur and appoint a committee of three, to study the possibilities of an income tax law and present a bill to this or any future session of the legislature.

On a *viva voce* vote, the Senate refused to concur.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the



Committee on Engrossed Bills, to the following bill in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

On motion of Senator Cole, the Senate voted to concur in the amendment sent up from the House of Representatives.

On motion of Senator Cole, the following resolution was adopted:

WHEREAS it appears that all legislative work may be easily accomplished by June 20th inst., therefore, be it

*Resolved*, By the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to final adjournment on Thursday, June 20th inst., at 5 o'clock in the afternoon, and be it further resolved that all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington.

On motion of Senator Doe, the rules were suspended, reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap.

On motion of Senator Wiley, the rules were suspended, reference to committee dispensed with, and the foregoing bill read a third time and passed.

House Bill No. 461, An act authorizing the county of Grafton to issue bonds. On motion of Senator Manson, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.



House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

To the Joint Committee on the Judiciary and Finance,  
House Bill No. 341, An act relating to aid for the blind.

House Bill No. 377, An act relating to the New Hampshire State employment service.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 457, An act relating to State building.

To the Joint Committee on Public Improvements and Finance,

House Bill No. 450, An act relative to the improvement of Rye Harbor.

### COMMITTEE REPORTS

Senator Calef for the Committee on Finance, to whom were referred:

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred Senate Bill No. 74, An act providing for a special vote in the town of Errol, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred House Joint Resolution No. 155, Joint resolution relative to assessment and collection of taxes, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

On motion of Senator Condon, the rules were suspended to introduce a committee report not previously advertised in the Journal.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 338, An act relating to false statement of age by minors, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

#### JOINT RESOLUTIONS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled joint resolutions:

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford, county of Coos.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H., and others.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris M. Freeman.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

HARRY MANSON,  
*For the Committee.*

#### INTRODUCTION OF BILL

Senator Alexander, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on the Judiciary,

Senate Bill No. 76, An act providing for a special vote in the town of Andover.

#### RECONSIDERATION OF VOTE

On motion of Senator Condon, the Senate voted to reconsider the vote whereby the Senate concurred with the House of Representatives in its amendment to Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels.

On motion of the same Senator, the Senate refused to concur and asked for a committee of conference.

Pursuant to the above request, the President appointed as conferees on the part of the Senate Senators Condon and Burbank.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 336, An act relating to public employment of veterans.

#### BILL RETURNED FROM THE GOVERNOR

Pursuant to the foregoing resolution, His Excellency the Governor returned to the Senate for further consideration the following entitled bill:

House Bill No. 336, An act relating to public employment of veterans.

On motion of Senator Carter, the rules were so far suspended as to allow the reconsideration of the vote on the foregoing entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing bill was passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on Labor.

## ORDER VACATED

The President vacated the order whereby he referred House Bill No. 453, An act regarding compensation of county commissioners of Grafton county, to the Committee on the Judiciary and referred it to the Committee on Revision of Laws.

On motion of Senator Butler, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

## THIRD READINGS

The following entitled bill and joint resolutions were read a third time and passed.

Senate Bill No. 74, An act providing for a special vote in the town of Errol.

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

On motion of Senator Burbank, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9:00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Wiley, the Senate adjourned.

---

FRIDAY, JUNE 14, 1935.

The Senate met according to adjournment.

Senator Marston, having assumed the chair, read the following communication:

Concord, N. H., June 14, 1935.

*Senator Marston:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President*

## NOTICE OF RECONSIDERATION

Senator McLeod served notice that on Tuesday or on some subsequent day he would ask for a reconsideration of the vote whereby the report of "inexpedient to legislate" was adopted on House Bill No. 338, An act relating to false statements of age by minors.

On motion of the same Senator the Senate adjourned.

---

MONDAY, JUNE 17, 1935.

The Senate met according to adjournment.

Senator McLeod, having assumed the Chair, read the following communication:

Concord, N. H., June 17, 1935.

*Senator McLeod:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige,

CHARLES M. DALE,  
*President.*

There being manifestly no quorum present, Senator McLeod declared the Senate adjourned.

---

TUESDAY, JUNE 18, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of illness.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.



House Bill No. 192, An act relating to amendments to workmen's compensation.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

House Bill No. 447, An act to establish the New Hampshire water resources board.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following resolution:

WHEREAS, It appears that all legislative work may be easily accomplished by June 20th inst. therefore, be it

*Resolved*, By the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to final adjournment on Thursday, June 20th inst., at 5 o'clock in the afternoon, and be it further resolved that all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

To the Committee on Labor,

House Bill No. 192, An act relating to amendments to workmen's compensation.

## COMMITTEE REPORTS

Senator Butler for the Committee on Claims, to whom was referred House Joint Resolution No. 158, Joint resolution in favor of the town of Milan, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

Senator Manson for the Committee on Transportation, to whom was referred House Bill No. 113, An act relating to weight of motor vehicles, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Manson for the Committee on Transportation, to whom was referred House Bill No. 221, An act relating to transportation of members of the Legislature, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16 and 17 and inserting in place thereof the following new sections: 15. *Travel.* Members of the general court in attending upon any session shall be allowed ten cents a mile for their travel to and from their homes to the city of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week. 16. *Computation of Distance.* The distance traveled by a member from his home to Concord shall be computed by the nearest traveled highway. The committee on mileage shall determine said distance and also shall determine

the amount of travel to be allowed each member under the provisions of the preceding section. 17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the legislature shall be allowed mileage and transportation as state officers and employees are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

2. *Repeal.* Sections 18 and 19 of said chapter 4, relative to illegal use of legislative tickets, are hereby repealed.

3. *Public Officials.* Amend section 14 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 14. *State Contracts.* The governor shall contract for the steam railroad transportation of state officers, during their respective terms of office.

4. *Railroad Transportation.* Amend section 17 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 17. *Legislators.* Unless, on account of some emergency, the governor otherwise specifically directs, members of the legislature shall not be allowed for expenses of transportation except such travel as may be allowed under the provisions of sections 15 and 16, chapter 4 of the Public Laws, provided that the governor may contract for the transportation of members of committees and county delegations on trips to places in this state which are reasonably necessary to the proper conduct of legislative business.

The report was accepted.

On motion of Senator Condon, the bill with amendments attached thereto was referred to the Committee on Finance.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 422, An act to repeal charters of certain corporations, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Doe for the Committee on Engrossed Bills, to whom was referred House Bill No. 220, An act relating to diseases of domestic animals, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the first three lines and inserting in place thereof the following:

3. *Condemned Horses and Cattle.* Amend section 57 of chapter 187 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 57. *Payment.* The state shall

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

#### COMMITTEE OF CONFERENCE

The Committee of Conference, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line, having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALBERT D. LEAHY,  
DARWIN LOMBARD,  
CHARLES B. HOYT,  
*House Conferees.*

WILLIAM M. COLE,  
ARTHUR W. BROWN,  
*Senate Conferees.*

The report was accepted.

## TAKEN FROM TABLE

On motion of Senator Manson, Senate Bill No. 26, An act relative to glaring headlights on motor vehicles, was taken from the table.

The question being stated, Shall the Senate concur in the amendments sent up from the House of Representatives?

On motion of Senator Manson, the Senate refused to concur and asked for a committee of conference.

Pursuant to the above request, the President appointed as members on the part of the Senate Senators Manson and Wiley.

## INTRODUCTION OF BILL

Senator Marston under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry:

Senate Bill No. 77, An act providing for a change of name for the Forestry Commission.

On motion of Senator Marston, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

The President declared a recess until 12:55 p. m.

The Senate re-assembled.

## INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Calef, the rules were suspended to introduce two committee reports not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the paragraph relative to the attorney-general's



department by striking out the line relative to clerical expense \$9,800, and inserting in place thereof the following:

Salary of law clerk	\$1,800
Salary of chief clerk	1,800
Salary of research clerk	1,800
Other clerical expense	4,400
	<hr/> \$9,800

Further amend said paragraph by striking out the figure \$2,800, "relative to fees to register of probate," and inserting in place thereof the figure, \$2,900. Further amend said paragraph by striking out the line "legacy tax expense \$685," and inserting in place thereof the words and figures, Legacy tax expense and other litigation, \$785. Further amend said paragraph by striking out the total appropriation for said department, "\$31,820" and inserting in place thereof the total, \$32,020.

Amend the paragraph relative to Department of Forestry by striking out the figures \$6,100.00, relative to salaries for recreational development, and inserting in place thereof the figures \$7,600.00. Further amend said paragraph by striking out the total appropriation for said department \$72,040.00 and inserting in place thereof the total \$73,540.00.

Amend the paragraph relative to the Industrial School by striking out the figures \$4,240.00 for clerical expenses and inserting in place thereof the figures \$4,280.00.

Further amend said paragraph relative to other expenses by striking out the figures \$5,550.00 and inserting in place thereof the figures \$6,000.00.

Further amend said paragraph by striking out the total appropriation for said department \$82,550.00 and inserting in place thereof the total \$83,090.00.

Amend the paragraph relative to the Board of Health by striking out the figures \$4,575.00 relative to other expenses for director of sanitation, and inserting in place thereof the figures \$4,825.00.

Further amend said paragraph by striking out the total appropriation for said department \$74,510.00 and inserting in place thereof the figures \$74,760.00.

Amend the paragraph relative to the N. H. Public Library Commission by adding after the clerical expenses of \$1,250.00 the following: Salary of a stenographer \$900.00, Salary of a field worker \$1,000.00.

Further amend said paragraph by striking out the figures \$760.00 and inserting in place thereof the figures \$1,660.00.

Further amend said paragraph by striking out the total appropriation for said department \$10,410.00 and inserting in place thereof the total \$13,210.00.

Amend the paragraph relative to the Arts and Crafts by striking out the figures \$10,000.00 and inserting in place thereof the figures \$5,000.00.

Amend section 1 of said bill by striking out the entire last paragraph thereof relating to salary reduction of clerks and employees.

Amend the paragraph relative to the state prison by adding after the salaries for custodial care the following: For the employment of additional help in order that guards and attendants shall not be required to work more than fifty-four hours in any week, except in emergency cases, \$5,000.

Amend the total for the state prison by striking out the figures \$117,730.00 and inserting in place thereof the figures \$122,730.00.

Amend the paragraph relative to the bureau of labor by adding the following:

For enforcement of minimum wage law, \$500.

Amend the total appropriation for said department by striking out the figures \$21,350, and inserting in place thereof the figures \$21,850.

Amend said bill by adding after section 1 the following new section:

2. *Disposition of Certain State Revenue.* Chapter 188, Laws of 1933, and chapter 3 of the Laws of the special session of 1934, are hereby amended so that the revenue accruing from chapter 62 of the Laws of 1933, relating to horse racing, and the revenue accruing under chapter 99 of the Laws of 1933 and chapter 3 of the Laws of the special session of 1934, relative to the sale of liquor and beverages, which shall be

payable to the so-called sinking fund, constituted by chapter 126 of the Laws of 1931, shall be fixed annually hereafter at \$250,000 for the revenue from chapter 62 of the Laws of 1933, and at \$550,000 for the revenue collected by the state liquor commission, these being the sums estimated at the time of the enactment of said laws as applicable to the sinking fund. Hereafter any sums in excess of the sums herein enumerated shall be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 to read section 3.

Amend the bill by adding the following:

There shall hereafter be assessed and collected from every hotel, lodging house and roadside camp in the State that possess either a license from the State Liquor Commission or which under the statute must be inspected or certified by the State Board of Health, a tax of 5% on whatever sum shall be paid for each night's lodging by any guest resorting to any such hotel, lodging house or roadside camp. This tax shall be collected through the office of the State Treasurer who shall make such regulations and prepare such blanks as are necessary for carrying out the purpose of this legislation.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend the paragraph relative to the attorney general's department by striking out the line relative to clerical expense, \$9,800 and inserting in place thereof the following:

Salary of law clerk	\$1,800	
Salary of chief clerk	1,800	
Salary of research clerk	1,800	
Other clerical expense	4,400	
	<hr/>	\$9,800

Further amend said paragraph by striking out the figure \$2,800 relative to fees to registers of probate and inserting in place thereof the figure \$2,900.

Further amend said paragraph by striking out the line "legacy tax expense \$685" and inserting in place thereof the following, Legacy tax expense and other litigation, \$785.

Further amend said paragraph by striking out the figure \$32,389, the total for the department, and inserting in place thereof the total \$32,589.

Amend the paragraph relative to Department of Forestry by striking out the figures \$6,100.00 relative to salaries for a recreational development, and inserting in place thereof the figures \$7,600.00.

Further amend said paragraph by striking out the total appropriation for said department \$72,015.00 and inserting in place thereof the total \$73,515.00.

Amend the paragraph relative to the Industrial School by striking out the figures \$4,240.00 for clerical expenses and inserting in place thereof the figures \$4,280.00.

Further amend said paragraph relative to other expenses by striking out the figures \$5,200.00 and inserting in place thereof the figures \$5,700.00.

Further amend said paragraph by striking out the total appropriation for said department \$81,850.00 and inserting in place thereof the figures \$82,390.00.

Amend the paragraph relative to Board of Health by striking out the figures \$4,575.00 relative to other expenses for director of sanitation, and inserting in place thereof the figures \$4,825.00.

Further amend said paragraph by striking out the total appropriation for said department \$76,340.00 and inserting in place thereof the total \$76,590.00.

Amend the paragraph relative to the N. H. Public Library Commission by adding after the clerical expenses of \$1,250.00 the following salary of a stenographer \$900.00; salary of a field worker \$1,000.00.

Further amend said paragraph by striking out the figures \$760.00 and inserting in place thereof the figures \$1,660.00.

Further amend said paragraph by striking out the total



appropriation for said department \$10,315.00 and inserting in place thereof the total \$13,115.00.

Amend the paragraph relative to the Arts and Crafts by striking out the figures \$10,000.00 and inserting in place thereof the figures \$5,000.00.

Amend section 1 of said bill by striking out the entire last paragraph thereof relating to salary reduction of clerks and employees.

Amend the paragraph relative to the State Prison by adding after the salaries for custodial care the following:

For the employment of additional help in order that guards and attendants shall not be required to work more than fifty-four hours in any week, except in case of emergency, \$5,000.00.

Further amend said paragraph by striking out the total for said state prison, \$117,773, and inserting in place thereof the total \$122,773.

Amend the paragraph relative to the bureau of labor by adding the following:

For the enforcement of minimum wage law, \$500.00.

Amend the total appropriation for said department by striking out the figures \$21,350 and inserting in place thereof the figures \$21,850.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Roberts, the rules were suspended to introduce three committee reports not previously advertised in the journal.

Senator Roberts for the Committee on Forestry, to whom were referred:

House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on state land,

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills referred to the Committee on Finance under the rules.



Senator Roberts for the Committee on Forestry, to whom was referred Senate Bill No. 68, An act relating to public forest lands, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following two sections:

1. *Forest and Recreational Lands.* Amend section 6-a of chapter 192 of the Public Laws as inserted by chapter 74 of the Laws of 1929 by adding at the end of said section the following, provided that all such contracts shall be approved by the governor and council, so that said section as amended shall read as follows: 6-a. *Privileges and Concessions.* On terms approved by the commission, the state forester may make contracts for the leasing of privileges and concessions on state forests and reservations for periods not exceeding five years, provided that all such contracts extending for a period of more than one year or for an annual consideration of more than twenty-five dollars shall be approved by the governor and council.

2. *Contracts; Development of Areas.* Amend chapter 192 of the Public Laws by adding after section 6-a the following new section: 6-b. *Recording.* All such contracts extending for a period of more than one year or for an annual consideration of more than twenty-five dollars shall be recorded in the registry of deeds in the county or counties where the lands to which such contracts relate are situated. 6-c. *Fees.* Subject to the approval of the commission the state forester shall have authority to develop any suitable state lands or reservations for recreational purposes and may render services and furnish accommodations to the public on said lands and reservations and may charge such fees for such services and accommodations as the state forester with the approval of the commission shall deem reasonable. All revenue received from such fees shall be paid into the forest improvement fund and shall be used only for the development and improvement of state lands or reservations for recreational purposes.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, amendment adopted and the bill referred to the Committee on Finance under the rules.

On motion of Senator Calef, the rules were suspended to introduce three committee reports not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom were referred:

Senate Bill No. 68, An act relating to public forest lands,

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work,

House Bill No. 303, An act to reimburse the Federal government for emergency conservation work on State land, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

On motion of Senator Sanborn, the rules were suspended to introduce a committee report not previously advertised in the journal.

Senators Sanborn and Calef for the Joint Committee on Public Improvements and Finance, to whom was referred House Bill No. 450, An act relative to the improvement of Rye harbor, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Cole, the Senate adjourned.

## AFTERNOON

### INTRODUCTION OF COMMITTEE REPORTS

On motion of Senator Butler, the rules were suspended to introduce five committee reports not previously advertised in the Journal.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 429, An act regarding the

compensation of county commissioners, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading to-morrow morning at 10 o'clock.

Senator Butler for the Committee on Judiciary, to whom was referred Senate Bill No. 76, An act providing for a special vote in the town of Andover, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senators Butler and Calef for the Joint Committee on Judiciary and Finance, to whom were referred:

House Bill No. 341, An act relating to aid for the blind,

House Bill No. 377, An act relating to the New Hampshire State employment service,

House Bill No. 448, An act providing for assistance to aged and dependent persons, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading to-morrow morning at 10 o'clock.

On motion of Senator Calef, the rules were suspended to introduce four committee reports not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom were referred:

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others,

House Bill No. 432, An act increasing the tax on legacies and successions,

House Bill No. 457, An act relating to State building, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted, and the bills and joint resolution ordered to a third reading to-morrow morning at ten o'clock.

Senator Calef for the Committee on Finance, to whom was

referred House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate. Subject matter covered in budget.

#### THIRD READINGS

The following bills were read a third time and passed:

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

Senate Bill No. 68, An act relating to public forest lands.

House Bill No. 113, An act relating to weight of motor vehicles.

House Bill No. 303, An act to reimburse the Federal Government for emergency unemployment relief by forestry and general improvement work.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 450, An act relative to the improvement of Rye harbor.

On motion of Senator Doe, the Senate adjourned.

---

WEDNESDAY, JUNE 19, 1935.

The Senate reassembled.

#### LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of illness.

#### THIRD READINGS

The following bills were read a third time and passed.

House Bill No. 429, An act regarding the compensation of County commissioners.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 377, An act relating to the New Hampshire State employment service.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 457, An act relating to State building.

House Bill No. 432, An act increasing the tax on legacies and successions.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 452, An act relating to maternal and child health and child welfare.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

House Bill No. 458, An act to rehabilitate the State treasury for loss of revenue suffered by the State.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills and joint resolutions:

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

Senate Bill No. 74, An act providing for a special vote in the town of Errol.



The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 422, An act to repeal charters of certain corporations.

House Bill No. 220, An act relating to diseases of domestic animals.

The message further stated that the House of Representatives has voted to adopt amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 305, An act to revise and amend the fish and game laws.

Amend chapter 198 of the Public Laws, as inserted by said bill by striking out the words "Part VII section 24 of this act" in section 8 of said chapter and inserting in place thereof the following: sections 12 and 13 hereof.

Amend section 9 of chapter 198 of the Public Laws as inserted by said bill by striking out the words "Part VII section 23 of this act" and inserting in place thereof the words: section 12 hereof.

Amend section 12, chapter 198 of the Public Laws, as inserted by said bill by striking out the words "Part II section 10" and inserting in place thereof the words: section 9 hereof.

In the following sections and chapters as inserted by said bill change the word "act" to the word title; wherever it occurs:

Section 2, chapter 197

Section 46, chapter 197

Section 20, chapter 201

Sections 1, 5, 13, 17 and 21, chapter 203.

On motion of Senator Doe the Senate concurred in the amendments sent down by the House of Representatives.

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

Amend the title of said bill by striking out the words and figures "approved June 5, 1935".

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Commission.* Amend section 2 of chapter 108 of the Laws of 1935, approved June 5, 1935, by striking out the whole of said section and inserting in place thereof the following:

Further amend section 1 of said bill by striking out the 46th to 50th lines, inclusive and inserting in place thereof the following:

2. *Bonds.* Amend the second sentence of section 3 of said chapter 108 by striking out the words "except the commission" and inserting in place thereof the words, but shall be payable solely from the revenues of the tramway,

Further amend section 1 of said bill by striking out lines 55 to 65, inclusive, and inserting in place thereof the following:

3. *Operation of Tramway.* Amend section 7 of said chapter 108 by striking out the whole of said section and inserting in place thereof the following:

Further amend section 1 of said bill by striking out the 81st and 82nd lines and inserting in place thereof the following:

4. *Agreements.* Amend said chapter 108 by adding after section 7 the following new sections:

Further amend said bill by numbering the paragraphs beginning in lines 83, 98, 110, 120 and 125 as follows: 7-a, 7-b, 7-c, 7-d, 7-e.

Further amend said bill by striking out lines 129 and 130.

On motion of Senator Doe, the Senate concurred in the amendments sent down by the House of Representatives.

The message further stated that the House of Representatives had acceded to the request of the Honorable Senate for a committee of conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels and the Speaker has appointed as members on the part of the

House, Messrs. Coakley of Concord, Stafford of Laconia and Daly of Claremont.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge and the Speaker has appointed as members on the part of the House Messrs. Neal of Meredith, Henderson of Durham and Shaw of Chichester.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following joint resolution and asks for a Committee of Conference.

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

The Speaker has appointed as members on the part of the House Messrs. Martin of Holderness, Hunter of Hanover and Osborne of Sunapee.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the foregoing motion, the President appointed as members on the part of the Senate Senators McLeod and Doe.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Public Health,

House Bill No. 452, An act relating to maternal and child health and child welfare.

To the Committee on the Judiciary,

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

On motion of Senator Harrington, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

To the Committee on Finance,

House Bill No. 458, An act to rehabilitate the state treasury for loss of revenue suffered by the State.

To the Committee on Public Improvements,

House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim.

On motion of Senator Butler, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill read a third time and passed.

### COMMITTEE REPORTS

Senator Marston for the Committee on the Revision of Laws, to whom was referred House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

Senator Condon for the Committee on Liquor Laws, to whom was referred House Bill No. 403, An act to regulate the traffic in intoxicating liquor, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by adding at the end of section 1 thereof the following:

29d. *Forfeiture of Liquors and Beverages.* Any person who is convicted of drunkenness or of driving a motor vehicle under the influence of liquor shall forfeit any liquor or beverages upon his person or in said vehicle, if any, at the time of the commission of said offense, provided that this provision shall not apply to liquor or beverages legally in his possession for the purpose of sale. Any liquor or beverages so forfeited shall be disposed of as the court may determine and the proceeds, if any, shall be paid into the treasury of the county wherein the proceedings were determined for its use.

Further amend said bill by adding at the end of section 1 as herein amended, the following new section.

2. *Repeal.* Chapter 67 of the Laws of 1935 is hereby repealed.

Further amend said bill by renumbering section 2 to read "section 3".

The report was accepted, amendments adopted, and the bill ordered to a third reading this afternoon at one o'clock.

Senator Martel for the Committee on Towns and Counties, to whom was referred the Concurrent Resolution regarding the 197th Coast artillery, anti-aircraft, New Hampshire National Guard, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and resolution adopted.

#### MAJORITY AND MINORITY REPORT

A majority of the Committee on Ways and Means, to whom was referred House Bill No. 437, An act increasing the fees for permits to sell beverages, Having considered the same, reported the same without amendment and recommended its passage.

WINFRED C. BURBANK,  
CLARENCE L. BAILEY,  
MAURICE G. WILEY,  
JOHN G. MARSTON,  
ARTHUR W. BROWN,

*A majority of the Committee.*

A minority of the Committee on Ways and Means, to whom was referred House Bill No. 437, An act increasing the fees for permits to sell beverages, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "two" in line 4 and substituting in place thereof the word one; so that said section as amended will read:

1. *Fees Increased.* Amend chapter 99 of the Laws of 1933 by adding after section 21 the following new section: 21-a. In addition to the fees provided for in section 21 the following additional fees shall be required for permits issued: For each off-sale or on-sale permit one dollar for every barrel of beverages containing not more than thirty-one gallons



or the equivalent thereof sold by the permittee and to be paid on or before the tenth day of each month to the commission for beverages sold by the permittee during the preceding calendar month. Each holder of an on-sale or off-sale permit, at the time of filing the report required by section 25 and paying the part of the permit fee which shall be due at the time of filing said report as provided in section 21, shall also pay that part of the permit fee which shall be due at the time as provided in this section.

JOHN E. BARRETT,  
JOHN J. CONDON,

*A minority of the Committee.*

The report of the majority was accepted.

Senator Barrett moved that the report of the minority be substituted for that of the majority.

(Discussion ensued)

Senator Barrett demanded a roll call.

The question being stated, Shall the report of the minority be substituted for that of the majority?

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Condon, Knowlton, Bouthillier, Barrett, Foley, Martel and Doe.

The following named Senators voted in the negative: Senators Roberts, Bailey, Sanborn, Manson, Wiley, Alexander, Butler, Burbank, Carter, Marston, McLeod, Harrington, Calef, Cole, and Brown.

Seven Senators having voted in the affirmative and fifteen Senators having voted in the negative, the negative prevailed and the report of the minority was not substituted for that of the majority.

The question being stated, Shall the recommendations of the committee be adopted?

On a *viva voce* vote the recommendations were adopted and the bill was ordered to a third reading this afternoon at one o'clock.

## INTRODUCTION OF JOINT RESOLUTION

Senator Carter, under suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following joint resolution which was read a first and second time, laid upon the table to be printed, and referred to the Committee on Labor.

Senate Joint Resolution No. 21, Joint resolution regarding State compacts.

## INTRODUCTION OF COMMITTEE REPORTS

Senator Butler, under a suspension of the rules, introduced two committee reports not previously advertised in the Journal.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 449, An act to promote rural electrification, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 by striking out the words "financing of the manufacture" in lines 9 and 10; so that said section as amended will read:

1. *Authority Granted.* The governor and council, or its duly authorized agent or agents, are hereby authorized and empowered to cooperate and contract in the name of and on behalf of the state with the federal government and its agencies in such manner and to such extent as they may deem for the best interests of the citizens of this state, for the purpose of promoting the construction, maintenance and operation of rural electric lines in territory not adequately furnished with electricity; to accept gifts or grants of money or property; and to do all necessary and proper things desired by the federal government to facilitate the distribution and use of electricity, electrical equipment and appliances.

The report was accepted, amendments adopted and the bill ordered to a third reading this afternoon at one o'clock.

Senator Butler for the Committee on the Judiciary, to whom was referred Senate Bill No. 50, An act to provide for

the regulation of billboards, signs and other forms of outdoor advertising, Having considered the same, reported the same with the following resolution:

*Resolved*, That because of the seriousness of the question and the many interests involved in any attempt to regulate billboards, it is inexpedient to legislate, but recommended that a resolution be passed by the Senate providing for a recess commission for the study of billboard legislation.

The report was accepted.

Senator Carter moved that the words, inexpedient to legislate, in the committee report be stricken out, and the words, ought to pass with amendment, be substituted therefor.

(Discussion ensued)

On a *viva voce* vote the negative prevailed and the motion to substitute was lost.

The question being stated, Shall the resolution be adopted?

On a *viva voce* vote, the resolution was adopted.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTION

Senator Harrington, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 78, An act establishing the New Hampshire commission of interstate cooperation.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

Senator Alexander, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Bill No. 79, An act establishing a passenger automobile division of the State highway garage.

On motion of the same Senator, the rules were further sus-

pending, printing and reference to committee dispensed with, and the foregoing entitled bill read a third time and passed.

Senator Butler, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled joint resolution, which was read a first and second time, laid upon the table to be printed and referred to the Committee on the Judiciary.

Senate Joint Resolution No. 20, Joint resolution providing for a recess commission to study possible billboard legislation.

On motion of Senator Doe, the rules were further suspended, printing and reference to committee dispensed with, and the foregoing entitled joint resolution was read a third time and passed.

#### COMMITTEE OF CONFERENCE REPORTS

The Committee of Conference, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney, Having considered the same, reports the same with the recommendation that the House recede from its position of nonconcurrency and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On motion of Senator Brown, the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer, of Thornton, Having considered the same, reports the same with the recommendation that the House recede

from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,

*House Conferees.*

D. McLEOD,  
HAVEN DOE,

*Senate Conferees.*

On motion of Senator Brown, the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford, Having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,

*House Conferees.*

D. McLEOD,  
HAVEN DOE,

*Senate Conferees.*

On motion of Senator Martel, the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington, Having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,

*House Conferees.*

D. McLEOD,  
HAVEN DOE,

*Senate Conferees.*



On motion of Senator Cole, the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey, Having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

A. COURTEMANCHE,  
RODOLPHE CORMIER,  
GEO. A. MAXHAM,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On motion of Senator Cole the Senate voted to adopt the report of the Committee of Conference.

The Committee of Conference, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, Having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

A. COURTEMANCHE,  
RODOLPHE CORMIER,  
GEO. A. MAXHAM,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On motion of Senator Roberts, the Senate voted to adopt the report of the Committee of Conference.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.

House Bill No. 315, An act relative to aid for dependent mothers.

House Bill No. 413, An act relative to the powers of the superior court.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

House Bill No. 447, An act to establish the New Hampshire water resources board.

House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington.

House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap.

House Bill No. 461, An act authorizing the county of Grafton to issue bonds.

Senate Bill No. 70, An act relating to the Woodsville fire district.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

House Joint Resolution No. 159, Joint resolution in favor of the State treasurer's department, comptroller's department, legislative expense and State board of health.

HARRY MANSON,

*For the Committee.*

The President declared a recess until 12:55 p. m.

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following

concurrent resolution and address in the passage of which it asks the concurrence of the Honorable Senate.

To His Excellency H. Styles Bridges,  
Governor of the State of New Hampshire.

The Senate and House of Representatives in general court convened, satisfied that the public good requires that David C. Chase, justice of the municipal court in Seabrook should no longer hold and retain said office, respectfully address and request Your Excellency with the advice and consent of the Council, to remove therefrom said David C. Chase.

The question being stated, Shall the Senate concur with the House of Representatives in the passage of the resolution and address?

On a *viva voce* vote the affirmative prevailed and the Senate voted to concur with the House of Representatives in the passage of the concurrent resolution and address.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following joint resolution, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of seventeen thousand eight hundred dollars (\$17,800) is hereby appropriated and shall be paid to the treasurer of the New England Council in July, 1935, and a like sum is hereby appropriated and shall be paid the treasurer of said Council in July, 1936. Said sums shall be for the purpose of paying the share of this state for the New England Council advertising fund. The governor is hereby authorized to draw his warrant for the sum of ten thousand dollars (\$10,000) in July, 1935, and a like sum in July, 1936, out of any money in the treasury not otherwise appropriated. The balance of the appropriation made hereunder, namely, seven thousand, eight hundred dollars (\$7,800) for each of

two years, shall be a charge upon the appropriation provided for the state planning and development commission.

On motion of Senator Doe, the Senate concurred in the amendment sent down by the House of Representatives.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bills and asks for a Committee of Conference.

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

The Speaker has appointed as members on the part of the House Messrs. Osborne of Sunapee, Sawyer of Woodstock, Sanderson of Pittsfield, Hunter of Hanover and Perley of Lebanon.

On motion of Senator Cole, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on the foregoing entitled bill.

Pursuant to the above motion, the President appointed as members of the Committee of Conference on the part of the Senate Senators Alexander, Calef and Cole.

The message further stated that the House of Representatives has adopted the reports of the Committee of Conference to the following joint resolutions:

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

#### INTRODUCTION OF COMMITTEE REPORTS

Senator Sanborn under a suspension of the rules introduced seven committee reports not previously advertised in the Journal.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom were referred:

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin,

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown,

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn,

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield,

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland,

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the foregoing entitled joint resolutions were ordered to a third reading this afternoon at one o'clock.

Senators Calef and Sanborn for the Joint Committee on Public Improvements and Finance, to whom was referred House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough, Having considered the same, reported the same with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the enacting clause and substituting therefor the following:

That the sum of eight thousand dollars (\$8,000) be and the same is hereby appropriated for the reconstruction of the



Long Island bridge, so-called, in the town of Moultonborough. Said sum appropriated by the state shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

The report was accepted, amendment adopted and the joint resolution ordered to a third reading this afternoon at one o'clock.

Senator Butler, under a suspension of the rules, introduced two committee reports not previously advertised in the Journal.

Senator Butler for the Committee on the Judiciary, to whom were referred:

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

#### RECESS

The Senate reassembled.

On motion of Senator Condon, the order whereby Senate Joint Resolution No. 21, Joint resolution relating to State compacts, was referred to the Committee on Labor was vacated and the bill referred to a Committee of the Whole.

#### COMMITTEE OF THE WHOLE

Senator Condon for the Committee of the Whole, to whom was referred Senate Joint Resolution No. 21, Joint resolution relating to State compacts, Having considered the same, reported the same with the following recommendation that the resolution be indefinitely postponed. The report was accepted.

Senator Carter moved that a report ought to pass be substituted for the report to indefinitely postpone.

(Discussion ensued)

Senator Carter demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senator voted in the affirmative: Senator Carter.

The following named Senators voted in the negative: Senators Roberts, Bailey, Sanborn, Manson, Wiley, Alexander, Condon, Butler, Knowlton, Burbank, Bouthillier, Marston, McLeod, Harrington, Barrett, Martel, Doe, Calef, Cole and Brown.

One Senator having voted in the affirmative and twenty in the negative, the negative prevailed, and the motion to substitute was lost.

The question being stated, Shall the recommendation of the Committee to indefinitely postpone be adopted?

On a *viva voce* vote the affirmative prevailed.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 281 (in new draft and with new title), An act requiring toilet facilities in restaurants and other public eating places, Having considered the same, reports the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in its adoption of its amendments and that the following amendments be adopted.

MICHAEL J. CARROLL,

ALDEN N. YOUNG,

ROBERT O. BLOOD,

*House Conferees.*

ARTHUR W. BROWN,

MAURICE G. WILEY,

*Senate Conferees.*

Amend section 1 of said bill by inserting after the word "connection" in line 13 the following: nor to establishments existing on the date this act becomes effective, where the required installation could not be made without major alterations or an addition to the building, so that said section as amended shall read:

1. *Toilet Facilities to Be Provided for Restaurants.* All restaurants, dining rooms, lunchrooms, tea rooms and other places where the business of serving food to the public is conducted shall be equipped with toilets and lavatories convenient of access for the use of patrons. Separate toilets and lavatories shall be provided for women except where the circumstances may be such as, in the judgment of the health officer, to render separate provision unnecessary. Provided that the provisions of this act shall not apply to the service of lunches in stores or at roadside refreshment booths, nor to food service of temporary character, nor to portable bona fide lunch carts without sewer connection, nor to establishments existing on the date this act becomes effective where the required installation could not be made without major alterations or an addition to the building. The state board of health and the health officers of cities and towns are charged with the enforcement of this act.

Amend section 3 of said bill by striking out therefrom the words July 1, 1935 and substituting in place thereof the words October 1, 1935 so that said action as amended shall read as follows:

3. *Takes effect.* This act shall take effect October 1, 1935.

On motion of Senator Doe, the report was laid upon the table.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Carter under a suspension of the rules introduced a committee report not previously advertised in the Journal.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 336, An act relating to public employment of veterans, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. In public employment of clerks, office help, mechanics, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the construction of public

works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall be given as between persons equally qualified to citizens of the state who have served in the army, navy and/or marine corps of the United States in time of war, and have been honorably discharged therefrom or released from active duty therein. Where such employment is obtained from relief rolls or for persons in need, in cases of equal or greater need preference among equally qualified persons shall be given to such veterans.

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said veterans in said services of their respective cities and towns as hereinbefore provided.

3. This act shall take effect upon its passage.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Manson, the rules were suspended to introduce a committee report not previously advertised in the Journal.

The question being stated, Shall the amendment offered by the Committee on Transportation on House Bill No. 221, An act relating to transportation of members of the Legislature, be adopted?

On a *viva voce* vote the amendments were adopted.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 221, An act relating to transportation of members of the Legislature, Having considered the same, reported the same and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Manson, the rules were further suspended and the bill was ordered to a third reading at the present time and passed.

Senator Condon advised the Senate that the Committee of

Conference on Senate Bill No. 55, An act relating to the traffic in intoxicating liquor, had failed to agree and moved that the Senate committee be discharged and a new committee be appointed.

On a *viva voce* vote, the motion was passed.

Pursuant to the above motion, the President appointed as members of the new Committee Senators Wiley and Bailey.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 465, An act relating to narcotics.

House Bill No. 466, An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Joint Resolution No. 162, Joint resolution making appropriations for the fish and game department.

House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills:

Senate Bill No. 78, An act establishing the New Hampshire commission on interstate cooperation.

The message further stated that the House of Representatives has voted to accede to the request of the Honorable Senate for a Committee of Conference on Senate Bill No. 26, An act relative to glaring headlights on motor vehicles, and the Speaker has appointed as members on the part of the House Messrs. Neal of Meredith, Shaw of Chichester and Ahern of Concord.

The message further stated that the House of Representa-



tives has voted to adopt the amendments offered by the Committee on Engrossed Bills to the following bill and joint resolution in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

Amend section 2 of said bill by striking out the first five lines and inserting in place thereof the following:

2. *Limitation on Purchase of Beverages.* Amend section 26 of chapter 99 of the Laws of 1933, as amended by section 1, chapter 173, Laws of 1933, by striking out said section and inserting in place thereof the following: 26. *Certificates of Approval.*

On motion of Senator Doe, the Senate voted to concur in the amendment sent down by the House of Representatives.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

Amend said resolution by adding after the word "appropriated" in the twentieth line the words, by the State and by the town.

On motion of Senator Doe, the Senate voted to concur.

The message further stated that the House of Representatives has adopted the report of the Committee on Conference to House Bill No. 281, An act requiring toilet facilities in restaurants and other eating places.

The message further stated that the House of Representatives has refused to concur with the Honorable Senate in its amendments to the following bill and asks for a committee of conference.

House Bill No. 221, An act relating to transportation of members of the Legislature.

The Speaker appointed as members on the part of the

House Messrs. Wilson of Manchester, Burgault of Lyman and Millen of Lebanon.

On motion of Senator Butler, the Senate voted to accede to the request for a committee of conference.

Pursuant to the above motion, the President appointed Senators Manson and Sanborn on the part of the Senate.

The message further stated that the House of Representatives has refused to concur with the Senate in the passage of the following bill and joint resolution.

Senate Bill No. 79, An act establishing a passenger automobile division of the State highway garage.

Senate Joint Resolution No. 20, Joint resolution providing for a recess commission to study possible billboard legislation.

#### READ AND REFERRED

The following entitled bills and joint resolutions sent up from the House of Representatives were read a first and second time and referred:

To the Committee on Public Health,

House Bill No. 465, An act relating to narcotics.

To the Committee on Finance,

House Bill No. 466, An act to provide for the assessment and collection of an annual State tax for a term of two years.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 162, Joint resolution making appropriations for the fish and game department.

On motion of Senator Alexander, the order whereby House Joint Resolution No. 162, Joint resolution making appropriations for the fish and game department, was referred to the Committee on Finance, was vacated.

On motion of Senator Calef, the rules were suspended, reference to committee dispensed with and the foregoing entitled joint resolution was read a third time and passed.

To the Committee on Claims,

House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin.

On motion of Senator Cole, the rules were suspended, ref-

erences to committee dispensed with and the foregoing joint resolution was read a third time and passed.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, Having considered the same, recommend that the House of Representatives recede from its position in the adoption of its amendment and that the Senate recede from its position in the naming of the bridge and they recommend the following:

Amend the resolution by striking out the caption and inserting in place thereof the following: Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

Further amend the resolution by striking out the words, Little Bay bridge, wherever they appear and inserting in place thereof the words, General John Sullivan Memorial bridge.

WILLIAM J. NEAL,  
JOHN L. SHAW,  
O. W. HENDERSON,

*House Conferees.*

ARTHUR W. BROWN,  
GEORGE T. KNOWLTON,

*Senate Conferees.*

On a *viva voce* vote the Senate accepted the report and adopted the amendments.

On motion of Senator Cole, the rules were suspended and all business in order for this afternoon at one o'clock was made in order at the present time.

#### THIRD READINGS

The following bills and joint resolutions were read a third time and passed.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 437, An act increasing the fees for permits to sell beverages.

House Bill No. 449, An act to promote rural electrification.

House Bill No. 336, An act relating to public employment of veterans.

The following House joint resolutions were read a third time:

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

On motion of Senator Cole, the above entitled bills were laid upon the table.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Marston, the following resolution was adopted:

*Resolved*, That His Excellency the Governor be requested to return to the Senate for further consideration the following entitled bill, House Bill No. 432, An act increasing the tax on legacies and successions.

## BILL RETURNED FROM GOVERNOR

Pursuant to the above motion, His Excellency the Governor returned to the Senate for further consideration House Bill No. 432, An act increasing the tax on legacies and successions.

On motion of Senator Marston, the rules were suspended to allow a reconsideration of the vote on the following entitled bill, House Bill No. 432, An act increasing the tax on legacies and successions.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the Committee on the Judiciary.

On motion of Senator Cole, the Senate adjourned until tomorrow morning at ten o'clock.

---

THURSDAY, JUNE 20, 1935.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Kelley was granted leave of absence for the day on account of illness.

## COMMITTEE REPORTS

Senator Condon for the Committee on Labor, to whom was referred House Bill No. 176, An act relating to workmen's compensation law, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Employments Included.* Amend section 1 of chapter 178 of the Public Laws by adding to said section the following: VI. *Building.* The construction, alteration, or repair



of buildings in which work five or more persons are engaged in manual or mechanical labor. VII. *Other Employments.* Any employer engaged in an employment other than those specifically described in this section may file with the Commissioner of Labor his declaration in writing that he accepts the compensation provisions of this chapter as contained in the succeeding sections, and, having satisfied said Commissioner of his financial ability to comply with its provisions as provided in Section 4, the provisions of this chapter subsequent to section 4 shall thereafter apply to him and his employees the same as if he were engaged in one of the employments specifically described in this section. VIII. *Multiple Employments.* If any employer who has accepted the provisions of this chapter is engaged in more than one kind of employment, one of which is, and the other of which is not specifically described in this section, his election to become subject to the provisions of this chapter shall bring him within its provisions only as to the employment which is so described, unless at the time of electing, he shall have specified other employment or employments concerning which he desires to become subject to the provisions thereof.

2. Amend sections 2 and 3 of chapter 178 of the Public Laws by striking out said sections and inserting in place thereof the following: *Defenses if Employer Does Not Elect to Come Under This Chapter.* In an action to recover damages for personal injury sustained by an employee in the course of his employment, or for death, resulting from personal injuries so sustained, it shall not be a defense:

(1) That the injury was caused by the negligence of a fellow employee;

(2) That the employee had assumed the risk of the injury.

*Defenses if Employee Elects Not to Come Under This Chapter.* If an employee has elected not to come under the provisions of this chapter and his employer has elected to come under the provisions of this chapter, then such employee shall be held to have rejected all rights and remedies granted by the provisions of this chapter and shall not be entitled to the benefits thereof; and in an action to recover damages for

personal injury sustained by the employee in the course of his employment, or for death resulting from personal injuries so sustained after the employee has so elected, the employer shall have all the defenses which he would have had if the provisions of this chapter were not in force.

3. Insert after section 8 of Chapter 178 of the Public Laws, a new section to be known as section 8-a as follows: *Election; Employee.* Any employee of an employer who shall have elected to become subject to the provisions of this chapter as provided in section 4 thereof shall be held to have waived his right of action at common law to recover damages for personal injuries, if he shall not have given his employer at the time of his contract of hire or thereafter before injury, notice in writing that he claims such rights, and within ten days thereafter have filed a copy with the Commissioner of Labor, or, if the contract of hire was made before the employer so elected, if the employee shall not before injury have given the said notice and filed the same with said Commissioner as hereinbefore provided.

4. Amend chapter 178 of the Public Laws by striking out the whole of sections 10, 11 and 12.

5. Amend section '19-1 of chapter 178 of the Public Laws as amended by chapter 131, Laws of 1931, by striking out the words "four thousand five hundred" and inserting in place thereof the words "four thousand eight hundred" so that said section as amended shall read: *For Death.* The amount of compensation shall be, in case death results from injury:

I. *Dependents.* If the workman leaves any widow, children or parents, at the time of his death, then wholly dependent on his earnings, a sum to compensate them for loss, equal to one hundred and fifty times the average weekly earnings of such workman when at work on full time during the preceding year during which he shall have been in the employ of the same employer, or, if he shall have been in the employment of the same employer for less than a year, then one hundred and fifty times his average weekly earnings on full time for such less period, but in no event shall such sum

exceed four thousand eight hundred dollars. Any weekly payments made under this subdivision shall be deducted from the sum so fixed.

6. Amend section 24 of chapter 178 of the Public Laws by striking out the word "fifteen" and inserting in place thereof the word "sixteen" so that said section as amended shall read: *Limit of Compensation*. In no event shall any compensation paid under this subdivision exceed the damage suffered, nor shall any weekly payment in any event exceed sixteen dollars, or extend over more than three hundred weeks from the date of the accident. Such payment shall continue for such period of three hundred weeks, if total or partial disability continues during such period. No such payment shall be due or payable for any time prior to the giving of notice required by section 15.

7. Amend chapter 178 of the Public Laws, as amended, by adding a new section after section 24 to be numbered 24-I, to read as follows: 24-I. *Permanent Partial Disability; Specific Benefits*. In case of the following injuries the compensation shall be paid during total disability as provided in section 21, and at the termination of the total disability occasioned by said injuries, the employer shall pay to said injured employee fifty per cent of the average weekly wages computed as provided in section 19, I, and subject to the maximum and minimum as provided in sections 21 and 24, the following periods states against such injuries respectively, but in no case to exceed the period of three hundred weeks, which compensation shall be in lieu of all other benefits except those provided in section 13.

(1) The loss by separation of one arm at or above the elbow joint or the permanent and complete loss of the use of one arm, one hundred seventy weeks;

(2) The permanent and complete loss of hearing in both ears, one hundred seventy weeks;

(3) The loss by separation of one leg at or above the knee joint, or the permanent and complete loss of the use of one leg, one hundred seventy weeks;

(4) The loss by separation of one hand at or above the

wrist joint, or the permanent and complete loss of the use of one hand, one hundred forty weeks. The loss of the thumb and all four fingers of the hand shall be considered equal to the loss of the entire hand;

(5) The loss by separation of one foot at or above the ankle joint, or the permanent and complete loss of the use of one foot, one hundred twenty weeks;

(6) The loss by separation of a thumb, forty weeks;

(7) The loss by separation of a first finger, commonly called the index finger, twenty-five weeks;

(8) The loss by separation of a second finger, twenty weeks;

(9) The loss by separation of a third finger, fifteen weeks;

(10) The loss by separation of a fourth finger, ten weeks;

(11) The loss of a first phalange of the thumb or of any finger, shall be considered to be equal to the loss of half of such thumb or finger; the compensation shall be for half of the periods of the time therefor specified;

(12) The loss of use of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;

(13) The loss of an eye, one hundred weeks;

(14) In all cases where the employee sustains any of the injuries enumerated in the preceding thirteen subdivisions and at the same time receives injuries to other parts of his person which in themselves totally disable him for work, then said employee shall be first compensated for such other injuries and on the termination of the total disability occasioned by such other injuries, compensation shall be paid for the specific injuries as above specified, but in no case shall the total period for which compensation is paid exceed three hundred weeks;

(15) In all cases in this class, or where the usefulness of a member of any physical function is permanently impaired, the compensation shall bear such relation to the amounts stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule.



The report was accepted, amendment adopted, and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Condon, the rules were further suspended and the foregoing entitled bill was read a third time and passed.

Senator Carter for the Committee on Labor, to whom was referred House Bill No. 192, An act relating to amendments to workmen's compensation, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the recommendations of the committee adopted.

#### MAJORITY AND MINORITY REPORT

A majority of the Committee on Labor, to whom was referred House Bill No. 329, An act relating to labor and industry, Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN J. CONDON,  
M. G. WILEY,  
D. McLEOD,  
C. L. BAILEY,

*A majority of the Committee.*

A minority of the Committee on Labor, to whom was referred House Bill No. 329, An act relating to labor and industry, Having considered the same, reported the same without amendment and recommended its passage.

ELIOT A. CARTER,

*A minority of the Committee.*

Senator Carter moved that the minority report be substituted for that of the majority.

(Discussion ensued)

The question being stated, Shall the report of the minority be substituted for that of the majority?

Senator Carter demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative:



Senators Roberts, Butler, Carter, Bouthillier, Barrett, Martel, Doe and Cole.

The following named Senators voted in the negative: Senators Bailey, Sanborn, Manson, Wiley, Alexander, Condon, Knowlton, Burbank, Marston, McLeod, Harrington, Foley, Calef, and Brown.

Eight Senators having voted in the affirmative and fourteen in the negative, the negative prevailed and the motion to substitute the minority report for that of the majority was lost.

The question is on the recommendation of the majority, inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the recommendation of the committee was adopted.

#### TAKEN FROM TABLE

On motion of Senator Doe, the Committee of Conference report on House Bill No. 281 (in new draft and new title), An act requiring toilet facilities in restaurants and other public eating places, was taken from the table.

The question being on the adoption of the recommendation of the committee.

Senator Bouthillier moved that the report be indefinitely postponed.

(Discussion ensued)

Senator Bouthillier demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Bouthillier, Marston, McLeod, Barrett, Martel and Doe.

The following named Senators voted in the negative: Senators Roberts, Bailey, Sanborn, Manson, Wiley, Alexander, Condon, Butler, Knowlton, Burbank, Carter, Harrington, Foley, Calef, Cole and Brown.

Six Senators having voted in the affirmative and sixteen having voted in the negative, the motion to indefinitely postpone was lost.

On motion of Senator Brown, the report of the Committee of Conference was adopted.

#### INTRODUCTION OF COMMITTEE REPORTS

Senator Butler, under a suspension of the rules, introduced a committee report not previously advertised in the Journal.

Senator Butler for the Committee on the Judiciary, to whom was referred House Bill No. 432, An act increasing the tax on legacies and successions, Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of Senator Butler the rules were suspended and the foregoing entitled bill was read a third time and passed.

Senator Manson, under a suspension of the rules, introduced a committee report not previously advertised in the Journal.

Senator Manson for the Committee on Revision of Laws, to whom was referred House Bill No. 453, An act regarding compensation of county commissioners of Grafton county, Having considered the same, reported the same with the following amendment and recommended that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the word and figures, July 1, 1935, in line 1 and substituting in place thereof the word and figures, April 1, 1936, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect April 1, 1936.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of the same Senator, the rules were further suspended and the bill was read a third time and passed.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 429, An act regarding the compensation of county commissioners for Cheshire county, Having considered the same, reported the same under joint

rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Temporary Salary Increase.* For each of the periods from April 1, 1935, to April 1, 1936, and from April 1, 1936, to April 1, 1937, each county commissioner of the county of Cheshire, in addition to the salary provided for by section 28, chapter 38, Public Laws, as amended, shall be allowed and paid by the county the sum of three hundred dollars, and the commissioner of said county who serves as clerk of the board shall for each of said periods receive an additional sum of three hundred dollars.

2. *Takes Effect.* This act shall take effect upon its passage.

On a *viva voce* vote, the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 457, An act relating to State building, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 3 of said bill by adding before the word "House" in the fourth line the figures 1935, by adding after the word "Speaker" in the fifth line the words, of said House, and by adding before the word "Senate" in said fifth line the figures 1935.

On a *viva voce* vote, the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "aid" in the eighteenth line the word, only.

On a *viva voce* vote, the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "or notes" in the 11th line of said section.

On a *viva voce* vote, the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "they" in the 10th line and inserting in place thereof the words, said bonds.

Further amend said section 1 by adding after the word "sale" in the 11th line the word, thereof.

Amend said bill by numbering the paragraph designated "purposes" as section 2 and by numbering the paragraph designated "Takes Effect" as section 3.

On a *viva voce* vote, the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Bill No. 377, An act relating to the New Hampshire State employment service, Having considered the same, reported the same under joint rule No. 6

with the following amendment and recommended that the bill as amended ought to pass.

Amend sections 2, 3 and 6 of chapter 175 of the Public Laws as inserted by section 1 of said bill by striking out the words "and industry" wherever they occur in said sections.

Further amend said bill by renumbering the section numbered 7 to read section 2.

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the word "year" in the 13th line and inserting in place thereof the words and figures, years 1935 and.

On a *viva voce* vote the amendment was adopted and the bill sent to the House of Representatives for concurrence in the Senate amendment.

#### TAKEN FROM THE TABLE

On motion of Senator Cole, the following entitled joint resolutions were taken from the table.

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

The question being on the passage of the foregoing entitled joint resolutions.

On a *viva voce* vote the joint resolutions were passed.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference, to whom was referred House Bill No. 330, An act relating to the taking of fish from



certain waters, Having considered the same, recommended that the House of Representatives recede from its position of non-concurrence and that the Senate recede from its position in the adoption of its amendments and that the following amendments be adopted.

Amend section 1 of said bill by striking out the entire section and inserting in place thereof the following:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length may be taken only by the use of artificial flies from Coon Brook bog, Parmachenee bog, Scott's bog, all in Pittsburg, Clarksville pond in Clarksville, Little Millsfield pond and Moose pond in Millsfield, Beaver pond in Woodstock, Sawyer pond in Livermore, Profile lake in Franconia, Shawtown pond in Freedom, White pond in Ossipee, Echo lake in Conway, James pond in Tamworth, and Glen Ellis river between covered bridge in Jackson and Goodrich Falls dam in Bartlett, from May 1 to October 1; and from Badger reservoir and Grimstone reservoir in Belmont, Hunkins pond in Sanbornton, Duck pond in Weare, March pond in Hill, Moody pond in Weare, Stonehouse pond in Barrington, Pleasant pond in Warner, Round pond in Nottingham, and Scobie pond in Derry from May 1 to September 1; from Upper pond of Ellsworth Three ponds in Ellsworth and Warren, Lake Armington in Piermont, Short pond in Franklin, and Stirrup Iron Brook pond in Salisbury, from July 1 to October 1. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch.

Amend section 2 of said bill by striking out the entire section and inserting in place thereof the following:

2. *Brook Trout; Bait and Fly Fishing.* Brook trout not less than seven inches in length, may be taken by the use either of bait or artificial flies from Robartwood lake in Campton, Spectacle pond in Groton and Hebron, from May 1 to September 1, and during the month of September by the

use of artificial flies only; from Round pond in Pittsburg, Hall ponds in Sandwich, and Lily pond and Saltmarsh pond in Gilford, and Little Diamond pond in Stewartstown, Stratford bog in Stratford, from May 20 to September 1, and during the month of September by the use of artificial flies only; and from Nippo pond in Barrington, Ferrin pond and Mount William pond in Weare, Stone pond and Gustin pond in Marlow, Rocky Bound pond in Croydon and Lucas pond in Northwood from May 1 to August 1, and during the month of August by the use of artificial flies only. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish.

Amend section 4 of said bill by striking out the entire section and inserting in place thereof the following:

4. *Pickerel.* Pickerel of any size and in any quantity may be taken and possessed at any time from Sunapee lake, Crystal lake in Enfield, Tewksbury pond in Grafton, Elbow pond in Woodstock, Pearl lake in Lisbon, Ogontz lake, Dodge pond, Round pond, and Flag pond in Lyman, Partridge lake in Lyman and Littleton, Ellsworth pond in Ellsworth, Post pond in Lyme, Merrymeeting lake in New Durham, Middleton reservoir in Middleton, Silver lake in Madison, Mason pond in Orford, Rocky pond in Wentworth, Armington pond and Lake Tarleton in Piermont and Warren, Newfound lake in Hebron, Bridgewater, Bristol and Alexandria, Highland lake, Elbow pond and Bradley pond in Andover, Nubanusit lake in Hancock and Nelson, Spectacle pond in Groton and Hebron, Rust pond in Wolfeboro, Mirror lake in Tuftonboro, Stinson lake in Rumney, Pea Porridge pond in Madi-

son and Conway; Town Line pond in Dorchester and Wentworth, Trout pond in Dorchester, Lamprey pond in Orford, Cocheco river, Contoocook river from Cheshire mill pond outlet in Jaffrey to Merrimack river, all waters of Coos County inhabited by trout, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Ferrin pond in Weare, except that pickerel may not be taken through the ice from the last four named waters, and all other streams in the State inhabited by trout except Martin Meadow pond in Lancaster, Pow-Wow river, Winnepesaukee river, and Pemigewasset river, from June 1 to October 1.

Amend section 5 of said bill by striking out the entire section and inserting in place thereof the following:

5. *Closed to Ice Fishing.* The following waters are closed to fishing through the ice: Partridge lake in Lyman and Littleton, Spectacle pond in Groton and Hebron, Lake Warren in Alstead, Stinson lake in Rumney, Mount William pond in Weare, Lake Tarleton in Piermont and Warren, Martin Meadow pond in Lancaster, Big Dan Hole pond in Ossipee and Tuftonboro, Gorham pond in Dunbarton, Scott pond in Fitzwilliam, Mountainview lake in Sunapee, Zephyr lake and Sunset lake in Greenfield, Tucker pond in Salisbury, Nutt pond in Manchester, Great pond in Kingston, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Island pond and Robb's reservoir in Stoddard, Mirror lake in Whitefield, Lake Winnipauket in Webster, and Long pond in the town of Stoddard.

Amend section 6 of said bill by striking out the entire section and inserting in place thereof the following:

6. *Closed to Smelt Fishing.* The following waters are closed to smelt fishing: Dana Hines brook in Meredith, Dublin pond and the outlet as far as Clark's mill pond dam in Dublin, White pond in Ossipee, Black brook in Sanborn-ton for a distance of two hundred yards above its middle mouth to a point one hundred and fifty yards out into the lake from its middle mouth, Massabesic lake and all its tributaries in Manchester and Auburn, Silver lake and its tributaries in Madison, Massasecum lake in Bradford, Pleas-

ant pond and its tributaries in Deerfield, Mascoma river in Mascoma and Lebanon from the outlet of the lake to the south ends of the abutment of the first railroad bridge, First Connecticut lake and its tributaries in Pittsburg, all tributaries of Sunapee lake, Highland lake and its tributaries in Andover, all tributaries of Webster lake in Franklin, Echo lake in Marlow and Lempster, Inlet brook to Ledge pond in Madison, all tributaries of Loon lake in Freedom, Nubanusit lake in Hancock, all tributaries to Lake Tarleton in Piermont and Swanzey lake in Swanzey, and all tributaries of Little Sunapee lake in New London and Bradley lake in Andover.

Amend section 7 of said bill by striking out the entire section and inserting in place thereof the following:

7. *Closed to All Fishing.* The following waters are closed to all fishing: Fowler river between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, all tributaries of Dan Hole pond in Tuftonboro and Marshall pond in the town of Unity, Sand Hill brook in Auburn, Derry and Londonderry, Spring Pond brook in Bennington, Tunnel stream in Benton and all its tributaries above the Parker house, Oliverian brook and all of its tributaries in Benton and Warren from its source to where it crosses the State highway on the highway leading from Warren to Haverhill; all tributaries of Dead Diamond river including Lamb Valley pond in Dartmouth College Grant; all tributaries of Swift Diamond river in the Dartmouth College Grant; all tributaries of Loon lake in Freedom except Village brook and Bennett brook shall be closed only from Loon lake to their respective highway road bridges, Connecticut lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut lake level, and Big brook east of the road leading to Idlewild to the Connecticut river, and Smith brook in Pittsburg from the dam to the main river; Twitchell brook in Dummer flowing east into Androscoggin river; tributaries of Morse brook in Easton; all tributaries of Peabody river in Green's Grant except the West Branch and Nineteen-mile brook; Amos Pike or Starch Factory brook from its



source to the highway leading from the State road to the French pond road, Lime Kiln brook and all its tributaries above No. 6 Schoolhouse, Granny Clark brook, and all its tributaries, all in Haverhill, for two years from May 1, 1935; tributaries of the West Branch watershed of the Ammonoosuc river in Kilkenny including the West Branch. Tributaries of Bowen brook in Landaff and Easton; Trout brook, so-called, the inlet of Post pond in Lyme upstream from the pond for a distance of approximately two miles to the falls; Alder brook, a tributary to Stearns brook in Milan and Success, Leavitt stream in Milan, all tributaries of Merrymeeting lake in New Durham, all tributaries of Pleasant lake in New London, and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards south from Chandler bridge, tributaries of Taggart brook in Peterboro, Three Pond brook in Rumney, Melvin river in Tuftonboro, all brooks in the Pillsbury reservation in Washington; tributaries of King, Goldsmith and Farrell brooks, tributaries of Souhegan river in Wilton; all tributaries of Merrymeeting lake in New Durham. Loon lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount; Back lake in Pittsburg until May 20, 1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only; and the streams between Tioga and Sargent reservoirs and Badger reservoir in Belmont.

ALFRED L. GUAY,  
WILLIAM J. CALLAHAN,  
ROBERT H. STOBIE,

*House Conferees.*

JOHN E. BARRETT,  
M. G. WILEY,

*Senate Conferees.*

On motion of Senator Roberts, the report of the Committee of Conference was adopted.

The Committee of Conference to whom was referred Sen-



ate Bill No. 26, An act relative to glaring headlights on motor vehicles, Having considered the same, recommended that the House of Representatives adhere to its amendment and that the Senate refuse to recede from its position of non-concurrence.

WILLIAM J. NEAL,  
JOHN L. T. SHAW,  
WILLIAM J. AHERN,  
*House Conferees.*  
HARRY MANSON,  
M. G. WILEY,  
*Senate Conferees.*

On a *viva voce* vote, the report of the Committee of Conference was adopted.

The Committee of Conference to whom was referred House Bill No. 221, An act relating to transportation of members of the Legislature, recommend that the House recede from its position of non-concurrence in the amendments adopted by the Senate and that the Senate recede from its position in adopting said amendments and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16, as amended by chapter 120, Laws of 1927, and section 17 and inserting in place thereof the following new sections: 15. *Travel.* Members of the general court in attending upon any session shall be allowed 8 cents a mile for their travel to and from their homes to the city of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week. 16. *Computation of Distance.* The distance traveled by a member from his home to Concord shall be computed by the near-

est traveled highway. The committee on mileage shall determine said distance and also shall determine the amount of travel to be allowed each member under the provisions of the preceding section. 17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the legislature shall be allowed mileage and transportation as state officials are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

2. *Repeal.* Sections 18 and 19 of said chapter 4, relative to illegal use of legislative tickets, are hereby repealed.

3. *Public Officials.* Amend section 14 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 14. *State Contracts.* The governor shall contract for the steam railroad transportation of state officers, during their respective terms of office.

4. *Railroad Transportation.* Amend section 17 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 17. *Legislators.* Unless, on account of some emergency, the governor otherwise specifically directs, members of the legislature shall not be allowed for expenses of transportation except such travel as may be allowed under the provisions of sections 15 and 16 of chapter 4 of the Public Laws, provided that the governor may contract for the transportation of members of committees and county delegations on trips to places in this state which are reasonably necessary to the proper conduct of legislative business.

5. *Application of Law.* The provisions of this act shall apply to the members, officers and employees of the 1935 session of the General Court and any payment made to or expense incurred for any such member, officer or employee heretofore shall be deducted in the allowance of mileage for this session. No member, officer or employee of said 1935 session shall be entitled to any mileage of any kind other than as provided in this act.

6. *Repeal; Takes Effect.* All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

as of the beginning of the 1935 session, and this act shall take effect as of the beginning of said session. Any resolution of either branch of the legislature, relative to mileage of members, is hereby repealed as of the date of the passage of such resolution.

ALLAN M. WILSON,  
ANTHONY BURGAULT,  
R. N. MILLEN,

*Conferees for the House.*

HARRY MANSON,  
ANSEL N. SANBORN,

*Conferees for the Senate.*

On motion of Senator Manson, the report of the Committee of Conference was adopted.

The Committee of Conference, to whom was referred House Bill No. 67 (in new draft), An act relating to municipal lighting systems, Having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence, and concur with the amendments sent down by the Honorable Senate.

WILLIAM M. COLE,  
HARRY MANSON,

*Conferees on the part of the Senate.*

KENNETH F. GRAF,  
DIXON F. VANCORE,  
JOHN J. O'REILLY, JR.,

*Conferees on the part of the House.*

On a *viva voce* vote, the report of the Committee of Conference was adopted.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 113, An act relating to the weight of motor vehicles.

House Bill No. 220, An act relating to diseases of domestic animals.

House Bill No. 303, An act to reimburse the federal government for emergency conservation work on State lands.

House Bill No. 305, An act to revise and amend the fish and game laws.

House Bill No. 422, An act to repeal charters of certain corporations.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 450, An act relative to the improvement of Rye Harbor.

Senate Bill No. 74, An act providing for a special vote in the town of Errol.

Senate Bill No. 75, An act to amend "An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch."

HAVEN DOE,  
*For the Committee.*

#### RECONSIDERATION

Senator McLeod moved that the Senate reconsider the vote on House Bill No. 338, An act relating to false statement of age by minors.

(Discussion ensued)

On a *viva voce* vote the negative prevailed and the motion to reconsider was lost.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has adopted the report of the Committee of Conference to House Bill No. 221, An act relating to transportation of members of the Legislature.

House Bill No. 330, An act relating to the taking of fish from certain waters.

Senate Bill No. 26, An act relative to headlights on motor vehicles.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 448, An act to promote rural electrification.

House Bill No. 336, An act relating to public employment of veterans.

The message further stated that the House of Representatives recalled from the Governor:

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate cooperation.

The message further stated that the House of Representatives has refused to concur with the Senate in the passage of the following joint resolution:

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate cooperation.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 77, An act providing for a change of name for the forestry commission.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bill with amendments in the passage of which amendments the House asks the concurrence of the Honorable Senate:

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

Amend section 1 by striking out the whole of said section and inserting in its place the following:

1. *Examining Board.* Amend section 3 of chapter 153 of the Public Laws by striking out said section and inserting in place thereof the following: 3. *Appointment.* Said board



shall be appointed by the mayor with the approval of the board of aldermen or by the board of selectmen, and shall consist of a master plumber who has been engaged for at least five years in active plumbing business in the state, a plumbing inspector, or in the absence of such officer, a member of the local board of health, and a journeyman plumber who has had at least five years' active service. They shall serve without pay.

On motion of Senator Barrett, the Senate concurred.

#### RECESS

The Senate reassembled.

#### INTRODUCTION OF BILLS

Senator Condon, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills which were read a first and second time, laid upon the table to be printed and referred:

To the Committee on Liquor Laws,

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages approved June 20, 1935.

On motion of Senator Condon, the rules were suspended, printing and reference to committee dispensed with, and the bill was read a third time and passed.

To the Committee on Labor,

Senate Bill No. 81, An act defining the word, "employer," as used in the laws relative to unemployment compensation.

On motion of the same Senator, the rules were suspended, printing and reference to committee dispensed with, and the bill was read a third time and passed.

On motion of Senator Carter, the following resolution was adopted:

*Resolved*, By the Senate, the House of Representatives concurring, that joint rule No. 11 be suspended so as to allow the introduction, transmission and passage of two Senate bills.

## INTRODUCTION OF COMMITTEE REPORTS

Senator Calef, under a suspension of the rules, introduced six committee reports not previously advertised in the Journal.

Senator Calef for the Committee on Finance, to whom were referred House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road in the town of Sandwich.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

House Bill No. 458, An act to rehabilitate the State treasury for the loss of revenue suffered by the State.

House Bill No. 466, An act to provide for the assessment and collection of an annual State tax for the term of two years, Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills ordered to a third reading this afternoon at one o'clock.

Senator Calef for the Committee on Finance, to whom was referred House Bill No. 448, An act providing for assistance to aged and dependent persons, Having considered the same, reported the same with the following amendments and recommended that the bill as amended ought to pass.

Amend said bill by renumbering the sections now numbered 9 to 29 inclusive, to read respectively 8 to 28 inclusive.

Amend section 26 of the bill by renumbering to 25 as above provided and by adding after the word "year" in the third line the words, ending June 30, 1936 and a like sum for the fiscal year, so that said section as amended shall read as follows:

25. *Appropriation.* There is hereby appropriated from the moneys in the State treasury not otherwise appropriated a sum not exceeding fifteen thousand dollars for the fiscal year ending June 30, 1936 and a like sum for the fiscal year

ending June 30, 1937, for the purpose of paying the State's contribution to old age assistance under this act.

The report was accepted, amendments adopted and the bill was ordered to a third reading this afternoon at one o'clock.

On motion of Senator Calef, the rules were further suspended and the above entitled bills and joint resolutions were read a third time and passed.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred Senate Bill No. 55, An act relating to the traffic in intoxicating liquor, reported the same with the recommendation that the Senate recede from its position of non-concurrence and that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend said bill by adding after section 1 the following new section:

2. *Price of Beverages.* Amend chapter 99, Laws of 1933, by adding after section 32 the following new section: 32-a. *Limitation.* The price to be charged by holders of on-sale permits for a glass or other container of beverage shall not exceed the cost price thereof plus one hundred and fifty per cent of said cost price.

CHARLES P. COAKLEY,  
GEORGE C. STAFFORD,  
JAMES D. DALY,

*House Conferees.*

C. L. BAILEY,  
M. G. WILEY,

*Senate Conferees.*

The question being on the adoption of the report.

(Discussion ensued)

On a *viva voce* vote, the negative prevailed and the Senate refused to adopt the Committee of Conference report and asks for a new Committee of Conference on the foregoing bill.

Pursuant to the request, the President appointed as members on the part of the Senate Senators Roberts and Doe.

## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 377, An act relating to New Hampshire State employment service.

House Bill No. 429, An act regarding the compensation of county commissioners for Cheshire county.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

House Bill No. 457, An act relating to State building.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

The message further stated that the House of Representatives has passed the following concurrent resolution in the adoption of which it asks the concurrence of the Honorable Senate:

*Resolved*, By the House of Representatives, the Senate concurring, that Joint Rule 11 be suspended so as to allow the introduction, transmission and passage of House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

On motion of Senator Cole, the Senate concurred in the adoption of the concurrent resolution.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the joint resolution:

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference to Senate Bill No. 65, An act relating to the traffic in intoxicating liquor.

House Bill No. 221, An act relating to transportation of members of the Legislature.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills and joint resolutions with amendments in the passage of which amendments the House asks the concurrence of the Honorable Senate.

Senate Bill No. 68, An act relating to public forest lands.

On motion of Senator Sanborn, the Senate concurred.

The message further stated that the House of Representatives has recalled from the Governor House Bill No. 221, An act relating to transportation of members of the Legislature and has rescinded its vote whereby it adopted the report of the Committee of Conference and has recommitted the report to the Committee of Conference. The House asks the Honorable Senate to rescind its vote whereby it adopted the report of the Committee of Conference and recommit the bill to the Committee of Conference.

On motion of Senator Manson, the Senate voted to rescind its vote whereby it adopted the report and recommit it to the Committee of Conference.

The message further stated that the House of Representatives has refused to concur with the Senate in the passage of the following bill and asks for a Committee of Conference.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

The Speaker has appointed as members on the part of the House Messrs. McNamara of Lebanon, Guyer of Hanover and Lewis of Littleton.

On motion of Senator Manson, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference.

Pursuant to the above request, the President appointed as



members on the part of the Senate Senators Manson and Brown.

The message further stated that the House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate.

House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

The message further stated that the House of Representatives has voted to accede to the request of the Honorable Senate for the appointment of a new Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by first class hotels and the prices charged for beverages and the Speaker has appointed as members of such committee on the part of the House Messrs. Chandler of Gorham, Dodge of Laconia and Mitchell of Campton.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 221, An act relating to the transportation of members of the Legislature, Having considered the same reported the same with the following amendments:

Amend said bill by striking out the word "eight" in line 6 of section 1 and inserting in place thereof the word "ten" so that said section as amended shall read as follows:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16 as amended by chapter 120, Laws of 1927, and section 17 and inserting in place thereof the following new sections:

15. *Travel.* Members of the general court in attending upon any session shall be allowed ten cents a mile for their travel to and from their homes to the City of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week.

16. *Computation of Distance.* The distance traveled

by a member from his home to Concord shall be computed by the nearest traveled highway. The committee on mileage shall determine said distance and also shall determine the amount of travel to be allowed each member under the provisions of the preceding section.

17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the Legislature shall be allowed mileage and transportation as state officials are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

ANTHONY BURGAULT,

R. N. MILLEN,

ALLAN M. WILSON,

*Conferees on the part of the House.*

HARRY MANSON,

ANSEL N. SANBORN,

*Conferees on the part of the Senate.*

On motion of Senator Manson, the Senate voted to adopt the report of the Committee of Conference.

#### READ AND REFERRED

The following entitled joint resolution sent up from the House of Representatives was read a first and second time:

House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

On motion of Senator Cole, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled joint resolution was read a third time and passed.

#### INTRODUCTION OF COMMITTEE REPORT

Senator Barrett, under a suspension of the rules, introduced a committee report not previously advertised in the Journal.

Senator Barrett for the Committee on Public Health, to whom was referred House Bill No. 465, An act relating to narcotics, Having considered the same, reported the same

with the following amendment and recommended that the bill as amended ought to pass.

Amend the bill by adding a new section as follows:

3. Hypodermic syringes and hypodermic needles shall not be sold except in registered drug stores.

Further amend the bill by renumbering section 3 to read section 4.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at one o'clock.

On motion of the same Senator, the rules were further suspended and the bill was read a third time and passed.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has concurred with the Senate in the passage of the following bills:

Senate Bill No. 81, An act defining the word, "employer," as used in the laws relative to unemployment compensation.

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages approved June 20, 1935.

On motion of Senator Doe, the following resolution was adopted:

WHEREAS, The Senate has learned with sorrow of the illness of Senator Emmet J. Kelley,

*Be it resolved*, That this body hereby extends its sincere sympathy and expresses the hope for a speedy recovery.

#### RECESS

The Senate reassembled.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has refused to concur with the Senate in the passage of the following bill and asks for a Committee of Conference.

House Bill No. 176, An act relating to workmen's compensation law.

The Speaker has appointed as members on the part of the House Messrs. Wilson of Manchester, Jones of Lebanon and O'Reilly of Manchester.

On motion of Senator Cole, the Senate acceded to the request of the House of Representatives for a Committee of Conference.

Pursuant to the foregoing motion, the President appointed as members of the committee on the part of the Senate Senators Condon and McLeod.

#### TAKEN FROM TABLE

Senator Manson for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the 3rd, 4th and 5th lines and inserting in place thereof the following: appropriated for the completion of two uncompleted sections of the so-called Chesterfield road in the town of Westmoreland provided that.

On a *viva voce* vote the Senate voted to adopt the amendment adopted by the Committee on Engrossed Bills, and the joint resolution was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills to whom was referred House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out the 7th and 8th lines and inserting in place thereof the following: to the Whittier trunk line road in the town of Sandwich provided that the town of Sandwich appropriates a like sum for the.

On motion of Senator Sanborn, the Senate concurred in the amendment offered by the Committee on Engrossed Bills, and the joint resolution was sent to the House of Representatives for concurrence in the Senate amendment.

Senator Manson for the Committee on Engrossed Bills, to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge, Having considered the same, reported the same under joint rule No. 6 with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twenty thousand dollars (\$20,000) for the year 1935 be and hereby is appropriated for the improvement of a section of the main or post road, so-called, leading from United States route No. 1 to the General John Sullivan Memorial bridge in the town of North Hampton, provided that the town of North Hampton appropriates the sum of five thousand dollars for the same year for the same purpose. If the town of North Hampton makes the appropriation provided for herein and accepts aid from the State under this resolution said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931 and section 4 of chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

On motion of Senator Cole, the bill was laid upon the table.



## HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has adopted the report of the Committee of Conference on the following entitled bills.

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bills:

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 465, An act relating to narcotics.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its passage of which the House asks the concurrence of the Honorable Senate:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of ten, one from each county, be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

On motion of Senator Cole, the Senate concurred, and the President appointed Senators Cole, Calef, Marston, Condon, and Alexander.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of ten thousand dollars (\$10,000) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Hall's crossing to the Methuen town line in the town of Salem. The sum appropriated by the State shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

On motion of Senator Cole, the Senate concurred.

House Bill No. 330, An act relating to the taking of fish from certain waters.

Amend the preamble of said bill by striking out the first line thereof and inserting in place thereof the following:

WHEREAS, Chapter 201 of the Public Laws as inserted by an act passed at this session of the Legislature approved June 20, 1935 contains.

Amend the 3rd paragraph of said preamble by striking out the same and inserting in place thereof the following:

Now, then, the open season, legal length, manner of taking and limit of catch for brook trout, pickerel and smelt provided in said chapter 201 shall not apply to the waters hereinafter designated but all other provisions of the act approved June 20, 1933, now known as House Bill No. 305 shall apply as fully as if this act were incorporated therein.

Amend section 4 of said bill by striking out the last three lines and inserting in place thereof the following: by trout; provided that pickerel of any size and in any quantity may be taken and possessed only from June 1 to October 1 from Martin Meadow pond in Lancaster. Pow Wow river, Winnepesaukee river and Pemigewasset river.

On a *viva voce* vote the Senate concurred.

#### TAKEN FROM TABLE

On motion of Senator Cole, Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S.

No. 1 at Hampton line in North Hampton to Little Bay bridge, was taken from the table.

On motion of the same Senator, the Senate voted to adopt the amendments offered by the Committee on Engrossed Bills, and the bill was sent to the House of Representatives for concurrence in the Senate amendment.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 67, An act relating to municipal lighting systems.

Amend said bill by striking out the following title 11 and inserting in place thereof the following:

2. *New Chapter.* Further amend said bill by renumbering sections 16, 17 and 18 to read 3, 4, and 5 respectively.

On motion of Senator Brown, the Senate concurred in the amendment.

#### BILL RECALLED FROM GOVERNOR

On motion of Senator Condon, the following resolution was adopted.

*Resolved,* That His Excellency, the Governor, be requested to return to the Senate for further consideration the following entitled bill:

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

#### BILL RETURNED FROM THE GOVERNOR

Pursuant to the foregoing resolution, His Excellency, the Governor, returned to the Senate for further consideration the following entitled bill:

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

On motion of Senator Condon, the rules were so far suspended as to allow the reconsideration of the vote on Senate Bill No.

71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

On motion of the same Senator, the vote whereby the foregoing bill passed was reconsidered.

On motion of the same Senator, the vote whereby the foregoing bill was ordered to a third reading was reconsidered.

On the motion of Senator Condon the following amendment was adopted.

Amend said bill by striking out section 1 and inserting in place thereof the following new section:

1. *Sale of Beverages.* Amend section 18 of chapter 99 of the Laws of 1933 by adding at the end thereof the following: The holder of a wholesale permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall, in sales to persons within this state, sell only to holders of a wholesaler's permit: so that said section as amended shall read as follows: 18. *Wholesaler and Manufacturer, Restriction.* The holder of a manufacturer's or wholesaler's permit shall not be entitled to hold an on-sale permit and may hold only one off-sale permit which shall be issued only in respect of the premises designated in his permit as a manufacturer or wholesaler. The holder of a wholesale permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall in sales to persons within this state, sell only to holders of a wholesaler's permit.

On motion of Senator Condon, the rules were further suspended and the bill was read a third time and passed.

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, Having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend line 31 by striking out the figures "30,000" and inserting the figures 33,895.

Amend line 34 by striking out the figures "10,210" and inserting the figures 10,260.

Amend line 35 by striking out the figures "10,470" and inserting the figures 11,470.

Amend line 38 by striking out the figures "76,288" and inserting the figures 81,233.

Amend line 43 by striking out the words and figures "Clerical Expense, 9,800" and inserting the following:

Line 43 Salary of law clerk	1,800
Line 43a Salary of chief clerk	1,800
Line 43b Salary of research clerk	1,800
Line 43c Other clerical expense	4,400

Amend line 47 by striking out the figures "7,000" and inserting the figures, 10,000.

Amend line 48 by striking out the figures "31,820" and inserting the figures, 34,820.

Amend line 84 by striking out the figures "12,770" and inserting the figures 17,770.

Amend line 87 by striking out the figures "142,108" and inserting the figures 147,108.

Amend line 107 by striking out the figures "6,100" and inserting the figures 7,600.

Amend line 112 by striking out the figures "72,040" and inserting the figures 73,540.

Amend line 127 by striking out the figures "2,000" and inserting the figures 5,000.

Amend by striking out in lines 131, 132 and 133 the following: "Salary for employment assistance 1,500.00, Clerical expense 1,500.00, Other current expenses 1,250.00" and inserting the following:

Line 131 To provide for the establishment of a national employment service system in accordance with Chapter of the Laws of 1935, in the department of labor, 11,000.

Line 132 Cost of living survey in the department of labor, 2,000.



Line 133 Expenses of administering Chapter 87 of the Laws of 1933 in the department of labor, 5,000.

Line 133a Expenses of administering Chapter of the Laws of 1935 in the department of labor, 1,000.

Line 133b Expenses of administering Chapter of the Laws of 1935 in the department of labor, 1,000.

Amend line 134 by striking out the figures "21,350" and inserting the figures, 40,100.

Amend line 138 by striking out the figures "4,800" and inserting the figures, 6,000.

Amend line 140 by striking out the figures "23,100" and inserting the figures, 24,300.

Amend line 150 by striking out the figures "30,000" and inserting the figures, 34,765.

Amend line 151 by striking out the figures "59,000" and inserting the figures 63,765. Amend line 155 by striking out the figures "6,525" and inserting the figures, 7,025.

Amend line 157 by striking out the figures "14,800" and inserting the figures, 15,300.

Amend line 186 by striking out the figures "4,240" and inserting the figures, 4,280.

Amend line 203 by striking out the figures "5,500" and inserting figures, 6,000.

Amend line 206 by striking out the figures "82,550" and inserting the figures, 83,090.

Amend by adding the following: Line 225a Purchase of land, 7,500.

Amend line 226 by striking out the figures "180,835" and inserting the figures 188,335.

Amend line 274 by striking out the figures "35,853" and inserting the figures 40,853.

Amend line 287 by striking out the figures "117,773" and inserting the figures 122,773.

Amend line 351 by striking out the figures "3,420" and inserting the figures 3,670.

Amend line 356 by striking out the figures "74,510" and inserting the figures 74,760.

Amend line 392 by striking out the figures "47,625" and inserting the figures 46,375.

Amend line 394 by striking out the figures "65,610" and inserting the figures 64,360.

Amend line 398 by striking out the figures "6,000" and inserting the figures 4,750.

Amend line 399 by striking out the figures "20,000 and inserting the figures 18,750.

Amend line 404 by striking out the figures "1,250" and inserting the figures 2,150.

Amend by adding the following: Line 406a Clerical Expense, 1,000.

Amend line 407 by striking out the figures "760" and inserting the figures 1,660.

Amend line 410 by striking out the figures "10,410" and inserting the figures 13,210.

Amend lines 450 and 451 by striking out the words "one hundred thirty-two thousand one hundred twenty dollars" and substituting the words, sixty-six thousand and sixty dollars.

Amend line 451 by striking out the word "ten" and substituting the word five.

Amend said bill by adding after section 1 the following new section:

2. In addition to the above, the salaries of all officials, clerks and employees in the Highway Department, Fish and Game Department, Liquor Commission, Motor Vehicle Department, and Division of Relief shall be subject to the same five per cent reduction and subject to the same provision that such salary reductions shall not apply to clerks or employees receiving less than fifteen hundred dollars per annum, nor reduce the salary of any clerk or employee now receiving more than fifteen hundred dollars to a figure below that sum. Salaries for all officials, clerks and employees shall be paid in accordance with the salary schedule filed in the office of the Secretary of State, labeled

*Salary Schedule of State Employees for the Year 1936*

Any provisions of law relative to salary of officials or em-

ployees inconsistent with said above provisions are hereby suspended during the time this act is in effect.

3. *Disposition of Certain State Revenue.* Chapter 188 of the laws of 1933 is hereby amended so that all the revenue accruing from the increase in the permit fees for the sale of beverages as provided in an act approved June 20, 1935, which under the terms of said chapter 188 would be payable to the so-called sinking fund constituted by chapter 126 of the Laws of 1931, shall hereinafter be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 and striking out the same and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect July 1, 1935.

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,

*House Conferees.*

A. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,

*Senate Conferees.*

On motion of Senator Doe, the Senate adopted the report of the Committee of Conference on House Bill No. 445.

The Committee on Conference to whom was referred House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937, Having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend line 36 by striking out the figures "30,000" and inserting the figures 33,895.

Amend line 39 by striking out the figures "10,210" and inserting the figures 10,260.

Amend line 40 by striking out the figures "10,470" and inserting the figures 11,470.

Amend line 43 by striking out the figures "75,488" and inserting the figures 80,433.

Amend line 48 by striking out the words and figures "Clerical expense 9,800" and inserting in place thereof the following:

48	Salary of law clerk	1,800
48a	Salary of chief clerk	1,800
48b	Salary of research clerk	1,800
48c	Other clerical expense	4,400

Amend line 52 by striking out the figures "7,000" and inserting the figures 10,000.

Amend line 53 by striking out the figures "32,389" and inserting the figures 35,389.

Amend line 88 by striking out the figures "9,770" and inserting the figures 14,770.

Amend line 91 by striking out the figures "139,108" and inserting the figures 144,108.

Amend line 111 by striking out the figures "6,100" and inserting the figures 7,600.

Amend line 116 by striking out the figures "72,015" and inserting the figures 73,515.

Amend line 132 by striking out the figures "2,000" and inserting the figures 5,000.

Amend said bill by striking out lines 136, 137 and 138 and inserting in place thereof the following: Line 136 Expenses of Administering Chapter      of the Laws of 1935 in the Department of Labor 11,000; Line 137 Expenses of Administering Cost of Living Survey in the Department of Labor 2,000; Line 138 Expenses of Administering Chapter 87 of the Session Laws of 1933 in the Department of Labor 5,000; Line 138a Expenses of Administering Chapter      of the Session Laws of 1935 in the Department of Labor 1,000.

Amend line 139 by striking out the figures "21,350" and inserting the figures 39,100.

Amend line 143 by striking out the figures "4,800" and inserting the figures 6,000.

Amend line 145 by striking out the figures "21,700" and inserting the figures 22,900.

Amend line 155 by striking out the figures "29,200" and inserting the figures 33,965.

Amend line 156 by striking out the figures "58,200" and inserting the figures 62,965.

Amend line 160 by striking out the figures "6,525 and inserting the figures 7,025.

Amend line 162 by striking out the figures "14,645" and inserting the figures 15,145.

Amend line 191 by striking out the figures "4,240" and inserting the figures 4,280.

Amend line 211 by striking out the figures "81,850" and inserting the figures 81,890.

Amend line 278 by striking out the figures "35,853" and inserting the figures 40,853.

Amend line 291 by striking out the figures "117,773" and inserting the figures, 122,773.

Amend line 365 by striking out the figures "3,420" and inserting the figures 3,670.

Amend line 370 by striking out the figures "76,340" and inserting the figures 76,590.

Amend line 406 by striking out the figures "39,625" and inserting the figures 46,375.

Amend line 408 by striking out the figures "57,610" and inserting the figures 64,360.

Amend line 412 by striking out the figures "6,000" and inserting the figures 4,750.

Amend line 413 by striking out the figures "20,000" and inserting the figures 18,750.

Amend line 418 by striking out the figures "1,250" and inserting the figures 2,150.

Amend by adding line 420a Clerical Expense 1,000.



Amend line 421 by striking out the figures "760" and inserting the figures 1,660.

Amend line 424 by striking out the figures "10,315" and inserting the figures 13,115.

Amend lines 466 and 467 by striking out the words "one hundred thirty-two thousand one hundred twenty dollars" and substituting the words, sixty-six thousand and sixty dollars.

Amend line 467 by striking out the word "ten" and substituting the word five.

Amend said bill by adding after section 1 the following new section:

2. In addition to the above, the salaries of all officials, clerks and employees in the Highway Department, Fish and Game Department, Liquor Commission, Motor Vehicle Department, and Division of Relief shall be subject to the same five per cent reduction and subject to the same provision that such salary reductions shall not apply to clerks or employees receiving less than fifteen hundred dollars per annum, nor reduce the salary of any clerk or employee now receiving more than fifteen hundred dollars to a figure below that sum. Salaries for all officials, clerks and employees shall be paid in accordance with the salary schedule filed in the office of the Secretary of State, labeled

*Salary Schedule of State Employees for the Year 1937*

Any provisions of law relative to salary of officials or employees inconsistent with said above provisions are hereby suspended during the time this act is in effect.

3. *Disposition of Certain State Revenue.* Chapter 188 of the laws of 1933 is hereby amended so that all the revenue accruing from the increase in the permit fees for the sale of beverages as provided in an act approved June 20, 1935, which under the terms of said chapter 188 would be payable to the so-called sinking fund constituted by chapter 126 of the Laws of 1931, shall hereinafter be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 and

striking out the same and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect July 1, 1936.

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,

*House Conferees.*

A. L. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,

*Senate Conferees.*

On motion of Senator Doe, the Senate voted to adopt the amendments offered by the Committee of Conference.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its Clerk:

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill:

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

The message further stated that the House of Representatives has adopted the report of the Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels.

The message further stated that the House of Representatives has rescinded its vote whereby it voted to non-concur in Senate amendments and asked for a Committee of Conference and has voted to concur in the Senate amendments to House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

The message further stated that the House of Representatives has concurred with the Senate in the passage of the following bills:

Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation.

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages approved June 20, 1935.

The message further stated that the House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

#### BILLS ENGROSSED

The committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 221, An act relating to transportation of members of the legislature.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 437, An act increasing the fees for permits to sell beverages.

House Bill No. 449, An act to promote rural electrification.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

Senate Bill No. 77, An act providing for a change of name for the forestry commission.

Senate Bill No. 78, An act establishing the New Hampshire commission on interstate co-operation.

House Bill No. 432, An act increasing the tax on legacies and successions.

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 147, Joint resolution for the

completion of the unimproved section of designated route number 112 in the town of Landaff.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

House Bill No. 281, An act requiring toilet facilities in restaurants and other public eating places.

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 377, An act relating to the New Hampshire state employment service.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 429, An act regarding the compensation of county commissioners for Cheshire county.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

House Bill No. 457, An act relating to state building.

House Bill No. 458, An act to rehabilitate the state treasury for the loss of revenue suffered by the state.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

Senate Bill No. 72, An act relating to the membership of the examining board.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 466, An act to provide for the assessment and collection of an annual state tax for the term of two years.

Senate Bill No. 68, An act relating to public forest lands.

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages, approved June 20, 1935.

Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 165, Joint resolution in favor of the legislature.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy C. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Carey.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

House Joint Resolution No. 162, Joint resolution making appropriation for the fish and game department.

House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

HARRY MANSON,  
*For the Committee.*

#### COMMITTEE OF CONFERENCE REPORT

The Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels and the prices charged for beverages, Having considered the same, recommends that the title of the bill be amended by striking out after the word, hotel, the words, and the prices charged for beverages, so that the title as amended shall read as follows: An act relating to the sale of beverages by certain first class hotels.

Further amend the bill by striking out Section 2.



Further amend bill by renumbering Section 3 to read Section 2.

C. A. CHANDLER,  
JAMES B. DODGE,  
G. E. MITCHELL,

*House Conferees.*

GEORGE I. ROBERTS,  
HAVEN DOE,

*Senate Conferees.*

On motion of Senator Cole, the Senate voted to adopt the report offered by the Committee of Conference.

#### HOUSE MESSAGE

The following message was received from the House of Representatives by its clerk.

*Mr. President:*

The House of Representatives has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Bills, in the adoption of which amendments the House of Representatives asks the concurrence of the Honorable Senate:

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

Amend section 2 of said bill by inserting after the word "employees" the words, affected by the salary reduction as provided for by this act, for the fiscal year ending July 1, 1936.

On motion of Senator Doe the Senate concurred in the amendment.

House Bill No. 446, An act making appropriations for the State of New Hampshire for the year ending June 30, 1937.

Amend section 2 of said bill by inserting after the word "employees" the words, affected by the salary reduction as provided for by this act, for the fiscal year ending July 1, 1937.

Further amend said bill by striking out section 3.

Further amend said bill by renumbering section 4 to read section 3.

On motion of Senator Doe the Senate concurred in the amendment.

The message further stated that the House of Representatives has voted to adopt the report of the Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels and the prices charged for beverages.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolutions:

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the little Pond road leading from Sandwich to the Whittier Trunk line road in the town of Sandwich.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General Sullivan Memorial Bridge.

The Senate reassembled.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 330, An act relating to the taking of fish from certain waters.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

House Bill No. 465, An act relating to narcotics.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading

from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Hall's crossing to the Methuen town line.

House Joint Resolution No. 146, Joint resolution for the completion of a road in town of Westmoreland.

House Joint Resolution No. 161, Joint resolution relating to construction of road in the town of Antrim.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. route 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937.

Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels.

HARRY MANSON,  
*For the Committee.*

#### COMMITTEE APPOINTMENT

Pursuant to the provisions of House Bill No. 457, An act relating to state buildings, the President appointed as members on the part of the Senate Senators Cole, Alexander and Calef.

#### HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following resolution:

*Resolved,* By the House of Representatives, the Senate concurring, that a committee of ten, one from each county,

be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

On motions of Senator Knowlton the Senate concurred in the resolutions sent down by the House of Representatives.

The President appointed Senators Manson, Condon, Carter and Brown.

#### RECESS

The Senate reassembled.

On motion of Senator Condon the Senate adjourned.

#### AFTERNOON

Senator Manson for the joint select committee appointed to wait upon His Excellency the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication that he might be pleased to make, reported that they had attended to their duty and had been informed by His Excellency that he would in person make a communication to the Legislature.

His Excellency, H. Styles Bridges, attended by the Honorable Council, then appeared and made the following communication to the Senate.

#### *To the Senate:*

I have been informed by the joint committee of the Senate and the House of Representatives that you have completed the business of the session and are ready to adjourn. The bills and resolves that have been passed by the Legislature in the closing day of the session have received Executive approval. I do therefore by the authority vested in me as Governor hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord, one thousand nine hundred and thirty-six. Personally and on behalf of the State, I thank you for your

services to the State and extend to you one and all best wishes for your future prosperity and happiness.

H. STYLES BRIDGES,  
*Governor.*

And thereupon the President, in accordance with the proclamation of His Excellency the Governor, and by virtue of the authority vested in him, declared the Senate adjourned to the last Wednesday in December, in the year of Our Lord, One Thousand Nine Hundred and Thirty-Six.

BENJAMIN F. GREER,  
*Clerk.*

A True Copy: Attest:

BENJAMIN F. GREER,  
*Clerk.*



INDEX  
TO THE  
SENATE JOURNAL



# Index to the Senate Journal

## A

Absence (see leave of)	
Acceptance of gift by State . . .	159, 257, 258, 285, 286, 345, 363, 364, 387
Adjournments . . . . .	21, 29, 39, 49, 60, 68, 79, 92 113, 147, 160, 183, 200, 228, 244, 259, 267, 287, 308, 348, 390, 419, 449, 489
Adjournment, final . . . . .	580
resolution regarding . . . . .	241, 485
Address, President of Senate . . . . .	4, 5
Administration, Motor Vehicle Law . . . . .	254, 265, 267, 271, 274, 300
Advancing business . . . . .	21, 28, 29, 31, 39, 43, 44, 53, 57, 60, 64 66, 68, 72, 75, 78, 83, 86, 91, 112, 182, 207, 227, 248, 258, 286 295, 301, 336, 342, 360, 371, 389, 402, 418, 427, 442, 448, 458, 479, 551
Advancements, descent, distribution, relating to . . . . .	226, 251, 253, 288, 300
Aerial tramway, construction of . . . . .	417, 448, 491, 506, 549
Cannon Mountain, on . . . . .	421, 423, 427, 441, 442, 445, 447
Agricultural fairs, promotion of . . . . .	162, 163, 213, 220 227, 339, 342, 355, 376, 388
Aid for blind . . . . .	481, 486, 503, 505, 573
dependent mothers . . . . .	443, 445, 471, 480, 517
mothers, additional . . . . .	40, 41, 45, 52
Alexandria, town of, bond issue . . . . .	201, 202, 218
road maintenance by State . . . . .	280, 281, 306, 353 361, 386, 387, 404, 418
Alton, improvement of road . . . . .	388, 406, 419, 505, 526, 575
completion of road . . . . .	297, 299, 340, 343, 355, 375, 388
Allen, William W., elected doorkeeper . . . . .	4, 5
Andover, special vote . . . . .	488, 503
Antrim, in favor of . . . . .	303, 435, 452, 459, 484, 516, 575
construction of road . . . . .	505, 509, 577, 578
Anesthetics, administration of . . . . .	106, 290
Animals, cruelty to . . . . .	175, 178, 225, 232, 251
Artificial flowers, sale of . . . . .	248, 250, 270, 273, 335, 345, 357
Assistance, aged and dependent persons . . . . .	481, 486, 503, 505 550, 552, 553, 561, 574
Appalachian Mountain Club, incorporation of . . . . .	47, 55, 57, 65
Appointment, Senate stenographers . . . . .	7
messengers . . . . .	7, 8
committees . . . . .	11, 12, 114, 115, 126, 146 177, 387, 404, 423, 431, 432, 445, 451, 481, 484, 494
highway agents . . . . .	42, 55, 57, 114
of the Peoples' Council . . . . .	55, 257

Apprehension of criminals . . . . .	93, 94, 109, 112, 115, 116, 133, 147
Apportionment for assessment of public taxes: . . . . .	51, 52, 62, 64, 74
Appropriation, emergency unemployment relief . . . . .	428, 432, 500 502, 504, 549
additional to Governor's Contingent Fund . . . . .	201, 202 230, 233, 243, 246, 247
expenses of State, 1936 . . . . .	391, 495, 496, 497, 498, 504 519, 561, 564, 565, 566, 567, 568, 576, 578
expenses of State, 1937 . . . . .	391, 498, 499, 500, 504, 519 561, 568, 569, 570, 571, 572, 576, 578
Eastern States Exposition . . . . .	260, 261, 313, 336, 357
for Executive Department . . . . .	40, 41, 42, 43, 52
fish and game exhibits . . . . .	41, 53, 65
department . . . . .	525, 527, 575
State advertising . . . . .	80, 81, 126, 132, 149, 150, 162, 167
Assessment for State tax for two years . . . . .	525, 527, 552, 574
and collection of taxes . . . . .	363, 364, 486
Assignment of rooms . . . . .	21, 31, 32
Assistant clerk, election and qualification of . . . . .	5, 6
Attachment, execution sale and mortgage foreclosure . . . . .	68
Auburn, improvement of road . . . . .	303, 305, 520, 529, 540, 554, 573
Ayer, Frank M., elected assistant clerk and qualified . . . . .	5, 6

## B

Banks, relating to . . . . .	91, 154, 155, 156, 157, 159, 166, 185 190, 194, 278, 306, 308, 373, 429, 430, 479
taxation of . . . . .	31, 235
Ballots, recount of . . . . .	201, 202, 224, 227, 239
Barnstead, bond issue . . . . .	98, 111, 125, 126
improvement of road in . . . . .	302, 304, 351, 360, 386, 404, 418
Barrington, road improvement in . . . . .	97, 352, 361, 451, 487
Bath, road improvement in . . . . .	54, 341, 343, 450, 487
Bears, relating to . . . . .	260, 261, 405
Beer, wholesalers of . . . . .	266, 276
Belmont, road improvement in . . . . .	301, 303, 351, 360, 368
Belknap, County of, bond issue . . . . .	481, 485, 490, 491, 517 521, 529, 539, 554, 574
Berlin, unemployment in . . . . .	161, 162, 183
purchase of land for Armory . . . . .	308, 367, 372, 444
Beverages, carrying on trucks . . . . .	99
Billboard signs, regulation of . . . . .	227, 514, 527
Bills, recalled from Governor . . . . .	63, 122, 220, 243, 262, 279 295, 361, 468, 488, 529, 563
Blind, aid for . . . . .	481, 486, 503, 505, 573
property exemption of . . . . .	254, 271, 273, 285

- Bonds, Belknap County, authorized to issue . . . . . 481, 485, 517  
     for welfare . . . 490, 491, 521, 529, 539, 554, 574  
     Hillsborough County, authorized to issue . . . 505, 508, 539, 554, 574  
     Barnstead, town of, authorized to issue . . . . . 98, 111, 125, 126  
     Boscawen, town of, authorized to issue . . . . . 80, 81, 96, 98, 125  
     Lyme, town of, authorized to issue . . . . . 264, 273  
     Meredith, town of, authorized to issue . . . . . 126, 127, 147  
     Somersworth, city of, authorized to issue . . . 150, 176, 196, 206  
     Webster, town of, authorized to issue . . . 240, 242, 256, 259, 273  
 Bonus, payment of . . . . . 51, 52, 59, 70, 72, 76, 78  
 Brands, milk jars and jugs . . . . . 195, 210, 211, 212, 220, 269, 312, 357  
 Bridge, over Little Bay . . . . . 61, 62, 88, 89, 91, 96  
     Bellamy River . . . . . 91, 275  
     common toll . . . . . 288, 289, 366, 372, 396  
 Bridges, naming of certain . . . . . 219, 275, 280, 350, 357  
     on State-aided highways . . . . . 100, 101, 153, 159, 167  
 Building & Loan Associations . . . . . 234, 235, 255, 258, 262  
     279, 282, 313, 337, 345, 356  
     Association, Berlin . . . . . 61, 94, 96, 146, 147, 152, 157  
 Brook trout, taking of . . . . . 42, 109, 112  
 Bragg, Benjamin, election and qualification of . . . . . 5, 6  
 Brewer, William E., *et als.* . . . . 443, 445, 471, 503, 505, 575  
 Bristol, town of . . . . . 280, 281, 306, 353, 361, 367  
 Blodgett, Newall Ray, *et als.* . . . . 288, 289, 338, 452, 459, 487  
 Business corporations, relating to . . . . . 373, 376, 415, 419, 426

## C

- Callaghan, Bessie A., appointed stenographer . . . . . 7  
 Canvassing of Senators, votes and returns . . . . . 7, 8, 9, 10  
     Governor and Council . . . . . 7, 8  
 Carroll, legalizing election . . . . . 106, 107, 163, 168, 183  
 Campton, legalizing meeting . . . . . 184, 185, 196, 199, 206  
     in favor of . . . . . 248, 250, 271, 284, 286, 300  
 Charter, city of Concord, amended . . . . . 100, 101, 204, 205, 208  
     223, 276, 277, 278, 285  
     Nashua, amended . . . . . 67, 129, 130, 131  
     132, 149, 152, 167, 197  
     Masonic Home, amended . . . . . 47, 55, 57, 62  
 Charters, certain corporations repealed . . . . . 428, 432, 471, 480, 506, 549  
 Certificates of Approval, fees for . . . . . 42, 110, 111, 127, 128  
 Chester, road improvement in . . . . . 296, 299, 340, 343, 385, 404, 418  
 Chesterfield, completion of road in . . . . . 303, 305, 520, 529, 575  
 Charges of railroads and public utilities . . . . . 54, 257  
 Chiropody, practice of . . . . . 80, 81, 186, 190, 197, 234, 235, 247  
 Child welfare, relating to . . . . . 505, 508



- Claremont, town meetings in . . . . . 106, 107, 187, 188, 194, 195, 202, 218  
     sewer system . . . . . 87, 96
- Clark School Foundation, Incorporated . . . . . 53, 54, 96, 98, 101, 125
- Clerk, appoints stenographers . . . . . 7  
     calls Senate to order . . . . . 4  
     election and qualification of . . . . . 5, 6  
     purchases newspapers . . . . . 8
- Club licenses, relating to . . . . . 99, 242
- Coffin, Mrs. Fred, in favor of . . . . . 525, 527, 575
- Corey, Eugene H., in favor of . . . . . 297, 300, 434, 435, 452  
     459, 483, 516, 519, 575
- Committee of Conference, House Bill No. 65 . . . . . 146, 177, 217, 218  
     No. 213 . . . . . 114, 115  
     No. 296 . . . . . 126
- Compensation, county commissioners . . 469, 471, 502, 504, 537, 554, 574  
     Rockingham County commissioners . . 269, 284, 286, 300  
     for motor vehicle accidents . . . . . 156, 166, 290  
     292, 293, 294, 305
- Commission, Veterans' Welfare . . . . . 226, 366  
     Membership State Cancer . . . . . 277, 478, 479  
     Interstate Co-operation . . . . . 513, 525, 573  
     Unpaid, Interstate Corporation . . . 301, 415, 419, 469, 550  
     for Study of Occupational Diseases . . . 274, 377, 389, 396  
     creation of State Racing . . . . . 132, 133, 170, 174  
     180, 181, 185, 190  
     relating to Public Service . . . . . 260, 261, 266, 274, 277, 279  
     295, 392, 403, 422, 430, 431, 479  
     create a Fish and Game . . . . . 240, 242, 377, 378, 379, 380  
     381, 398, 399, 400, 401, 402, 403, 423, 436, 437  
     438, 439, 440, 441, 445, 455, 456, 481, 517
- Commitment to State Hospital . . . . . 221, 224, 256, 258, 266
- Concord, city of, road improvement . . . . . 369, 406  
     amend charter of . . . . . 100, 101, 204, 205, 208  
     223, 276, 277, 278, 285  
     change in ward lines . . . . . 182, 270  
     erection State office building in . . . . . 20
- Confiscation of liquor, relating to . . . . 240, 242, 255, 256, 258, 264, 272
- Control of traffic by signals . . . . . 373, 376, 446, 448, 479
- Condon, John J., in favor of . . . . . 132, 242, 255, 258
- Control, sale and distribution of milk . . . . 106, 107, 135, 152, 159, 167
- Conveyance of land to State . . . . . 196, 197, 306, 353, 361, 367
- Cornish, toll bridge . . . . . 288, 289, 366, 372, 396
- Closing highway crossings . . . . . 278, 338, 339, 342, 421, 422, 442, 555
- Cotton, Ruth, appointed stenographer . . . . . 7
- Cotton textile industry, benefit of . . . . . 229, 233, 239

County, Merrimack, to issue notes .....	84, 95, 100, 110
commissioners, compensation of .....	469, 471, 502
Grafton .....	504, 537, 554, 574
Grafton .....	481, 486, 489, 537, 555, 572
Court, Municipal, relating to .....	301, 303, 365, 371, 396
of Franklin, salary of .....	280, 281, 308, 341, 350, 357
Superior, powers of .....	280, 281, 446, 447, 448, 469, 517
terms of .....	201, 202, 256, 258, 262, 263, 305
relating to the .....	84, 135

## D

Dalton, completion of road .....	296, 299, 340, 343, 358
Damages, by bears .....	447, 448
distribution of in suits .....	280, 281, 305, 308, 342
Deerfield, road improvement in .....	296, 298, 339, 353, 354, 375, 387
Definition, terms used in liquor laws .....	219, 250
Deposits of cash by savings banks .....	234, 235, 251, 253, 266
Dentistry, practice of .....	70, 153, 154, 159, 167
Descent, distribution and adjustment, relating to .....	226, 251, 253, 288, 300
Direct relief, grants to towns for payments .....	206, 207, 218
Distribution and sale of milk, control of .....	248, 275
Diseases of domestic animals .....	391, 392, 434, 436, 478, 480, 494, 506, 548
Discharge of sewage .....	47, 73, 75, 77, 78, 88, 96
Druggist, licenses to sell liquor .....	278
Dorchester, road improvement in .....	296, 298, 340, 342, 357
Dow, Eva E., in favor of .....	337, 338, 405
Drouin, Archie, in favor of .....	350, 405
Dublin, completion of road in .....	302, 305, 520, 528, 538, 554
Dummer, improvement of road in .....	302, 304, 367, 372, 396
Dumont, Paul, in favor of .....	301, 303, 405, 452, 459, 487
Dunbarton, improvement of Weare Road in .....	297, 299, 340
343, 355, 375, 388	
Duties, town tax collectors .....	274, 305, 308, 342

## E

Electrification, rural .....	428, 432, 512, 529, 573
Election of President of Senate .....	4
Employer, definition of word .....	551, 558, 573, 574
Eaton, road improvement .....	99, 341, 343, 422, 442
Emergency, borrowing by State .....	67, 68, 85, 86, 90
relief administration .....	27, 28
public works .....	372, 376, 424, 425, 428, 444, 479
Engrossed bills .....	44, 52, 65, 68, 74, 78, 86, 90, 95, 104, 110, 121, 125
147, 150, 157, 167, 183, 189, 194, 204, 218, 226, 239, 247	
252, 265, 272, 285, 300, 341, 356, 367, 387, 418, 426	
442, 447, 458, 479, 487, 516, 517, 548, 549, 573, 577	

Elliot, Charlotte Guay, in favor of . . . . .	93, 94, 107, 112, 122
Epping, town of, bond issue . . . . .	246, 247, 273
Errol, special vote in town of . . . . .	441, 486, 489, 505, 549
Escheat of estates . . . . .	336, 366, 371, 429, 451
Excise tax on margarine . . . . .	196, 197, 230, 233, 244, 255, 258, 285
Extended use of number plates on motor vehicles . . . . .	19, 28, 30, 33
Exempt from taxation . . . . .	182, 230
Expenses for New Hampshire ending June 30, 1936 . . . . .	391, 495, 496
497, 498, 504, 519, 561, 564, 565, 566, 567, 568, 576, 578	
June 30, 1937 . . . . .	391, 498, 499
500, 504, 519, 561, 568, 569, 570, 571, 572, 576, 578	

## F

Farmington, bond issue . . . . .	480, 485, 517
Fees, motor vehicle permit, transfer credits for . . . . .	55, 89, 91, 241
for permits to sell beverages . . . . .	403, 405, 510, 511, 529, 573
trucks used for agricultural purposes . . . . .	132, 133, 179, 180
182, 191, 222, 223, 239	
Finances, municipal relating to . . . . .	184, 185, 196, 206, 224, 228, 239
Fire Department, Manchester, two platoon system . . . . .	150, 251
Fiduciary powers, trust companies and national banks . . . . .	191, 193
283, 286, 298, 342	
Fire district, Woodsville . . . . .	395, 469, 517
precinct, East Derry . . . . .	337, 338, 365, 366, 371, 391, 485
Fish, taking of . . . . .	309, 312, 459, 460, 461, 462, 463, 464, 465, 466
467, 468, 484, 540, 541, 542, 543, 544, 545, 549, 562, 577	
Fish and game laws, revise and amend . . . . .	280, 281, 407, 408, 409
410, 411, 412, 413, 419, 445, 457, 458, 470, 506, 549	
commission, creation of a . . . . .	240, 242, 377, 378, 379
380, 381, 398, 400, 401, 402, 403, 423, 436, 437	
438, 439, 440, 441, 445, 455, 456, 481, 517	
bear, stock killed by . . . . .	260, 261, 405
taking of trout, Martin's Meadow Pond . . . . .	65, 109, 112
310, 445, 446, 447	
brook trout, Lake Armington . . . . .	42, 109, 112
salt water smelt . . . . .	252, 436, 443
department, appropriation for . . . . .	525, 527, 575
exhibits, appropriation for . . . . .	41, 53, 65
ice fishing, closed to . . . . .	65, 109, 112, 310, 342
Lake Tarleton . . . . .	42, 109, 112
relating to non-resident licenses . . . . .	252, 436, 443
Federal transient camps . . . . .	72, 471, 472
Forestry Commission, change name of . . . . .	495, 550, 573
Forest lands, relating to . . . . .	369, 501, 502, 504, 555, 574
Foreign insurance companies . . . . .	73, 108, 112, 115, 123
235, 236, 237, 240, 246, 252	

Flagg, Gardner W., in favor of . . . . .	288, 289, 405
Freeman, Mrs. Morris N., in favor of . . . . .	450, 452, 487
French, Lena M., in favor of . . . . .	184, 185, 197, 198, 313, 336, 357
Francetown, road improvement in . . . . .	302, 304, 366, 371, 396
Franklin, salary Court Justice . . . . .	280, 281, 308, 341, 350, 357
Fund, advertising N. E. Council . . . . .	421, 424, 452, 453, 454 459, 481, 518, 519, 575

## G

Gift, land to State . . . . .	159, 257, 258, 285, 286, 345, 363, 364, 387
Gilford, road improvement in . . . . .	403, 405, 446, 448, 458
Gilmanton, Province Road in . . . . .	301, 304, 351, 360, 368
Old Stage Line, so-called . . . . .	296, 298, 340, 342, 357
Goshen, completion of road . . . . .	54
Governor, message from . . . . .	9, 10, 11, 12, 13, 33, 34, 570
Glaring headlights, motor vehicles . . . . .	72, 346, 347, 348 443, 444, 525, 546, 549
Grade crossings, relating to . . . . .	254, 265, 266, 267, 270, 273, 274
Greenville, legalizing town meeting . . . . .	184, 185, 198, 199, 205, 206, 207
Grafton County, compensation commissioners . . . . .	481, 486, 489 537, 555, 572, 577
bond issue . . . . .	481, 485, 517
clerk hire Probate Office . . . . .	344, 346, 377 389, 394, 423, 426
treasurer's salary . . . . .	428, 432, 479
Greer, Benjamin F., elected clerk and qualified . . . . .	5, 6
Guardians, legal investment by . . . . .	42, 55, 56, 57, 246, 482, 483

## H

Hampton River jetties, appropriation for . . . . .	196, 197, 226, 228, 239
Hanover, powers of village precinct . . . . .	151, 152, 186, 187, 190, 194
Harrington, Clarence G., in favor of . . . . .	297, 300, 434, 452 459, 484, 515, 519, 575
Holderness, town of . . . . .	421, 424, 454, 486, 489, 508
Hood, Charles Francis, <i>et als.</i> . . . .	249, 250, 284, 313, 336, 357
Hilliard, J. J., in favor of . . . . .	248, 250, 276
Home industries, relating to . . . . .	196, 197, 257
Highway, completion of Barrington . . . . .	97, 352, 361, 451, 487
Chesterfield . . . . .	303, 305, 520, 529, 575
Kingston . . . . .	302, 304, 366, 372, 394, 423, 426
Landaff . . . . .	303, 305, 520, 529, 540, 573, 574
Laconia . . . . .	296, 298, 340, 343, 358
Newbury . . . . .	297, 299, 351, 360, 385, 386, 404, 418
Peterborough . . . . .	302, 304, 366, 371, 396
Westmoreland . . . . .	303, 305, 520, 529, 559, 577, 578
Unity . . . . .	302, 304, 366, 372, 396

- construction of road, Antrim . . . . . 505, 509, 577, 578
  - bridge, Moultonborough . . . . . 337, 338, 520
    - 529, 540, 554, 573
  - and permanent improvement, Parsonfield . . 297
    - 299, 351, 360, 367, 368
  - of first-class State road . . . . . 296, 298, 340
    - 342, 354, 378, 388
- improvement road, Alton . . . . . 388, 406, 419, 505, 526, 575
  - Antrim . . . . . 297, 299, 340, 343, 358
  - Auburn . . 303, 305, 520, 529, 540, 554, 573
  - Barnstead 302, 304, 351, 360, 386, 404, 418
  - Bath . . . . . 54, 341, 343, 450, 487
  - Belmont . . . . . 301, 303, 351, 360, 368
  - Chester . . . . . 296, 299, 340, 343, 385, 404, 418
  - Madison . . . . . 302, 304, 351, 361, 368
  - Madbury . . . . . 302, 304, 368, 371, 396
  - Conway . . . . . 302, 304, 351, 361, 368
  - Farmington . . . . . 296, 297, 299, 340, 343
    - 355, 356, 358, 376, 388
  - New Hampton . . . . . 297, 299, 340, 343, 358
  - Hampton, U. S. No.1. 8, 352, 353, 361, 481, 482
  - E. Kingston . . . . . 297, 300, 351, 360, 368
  - Lee . . . . . 33, 284, 386, 375, 395, 423, 427
  - Ossipee . . . . . 302, 304, 367, 372, 396
  - Pelham . . . . . 297, 300, 351, 360, 368
  - Rollinsford . . . . . 373, 376, 446, 448
    - 454, 455, 481, 517
  - Springfield . . . . . 297, 299, 341, 343, 358
  - Stewardstown . . . . . 303, 305, 520, 529, 575
  - Washington . . . . . 297, 300, 351, 360, 368
  - Tamworth . . . . . 302, 304, 366, 372, 396
  - Walpole . . . . . 302, 304, 367, 372, 396
  - Weare . . . . . 302, 304, 351, 360, 368
  - Wilton . . . . . 302, 304, 351, 360, 368
  - Wilmont . . . . . 302, 304, 351, 361, 368
  - Windham . . . . . 297, 300, 351, 360, 368
- laying out, Kingston . . . . . 280, 281, 306, 353, 361, 387
  - agents, their appointments . . . . . 42, 55, 57, 114
  - crossings, closing of . . . 278, 338, 339, 342, 421, 422, 442, 555
- Highways, regulation of . . . . . 373, 376, 446, 448, 479
- Hillsborough County, bond issue . . . . . 505, 508, 539, 554, 574
  - naming Pierce Lake . . . . . 33, 178, 182, 222, 235, 247
- Hours of labor, relating to . . . . . 344, 346, 385, 421, 424
- Horse racing, relating to . . . . . 132, 133, 170, 174, 180, 181, 185, 190
- Hospitals, Lying-In, regulations . . . . . 47, 73, 75, 78



## I

Ice fishing, relating to, Lancaster . . . . .	65, 109, 112, 120, 310, 342
Lake Tarleton, closed to . . . . .	42, 109, 112
Improvement, Rye Harbor . . . . .	486, 502, 504, 549
Increasing tax on liquor . . . . .	450, 452, 503, 505, 529, 530, 537, 538, 573
Intoxicating liquor, traffic in . . . . .	252, 275, 279, 280, 285, 286, 294
372, 376, 381, 382, 416, 419, 468, 488, 507, 509, 510	
525, 529, 550, 553, 556, 572, 574, 575, 576, 577, 578	
Industry, relating to . . . . .	469, 471, 535, 536
Indebtedness refund, Newport . . . . .	72, 88, 96
Increase powers of Corporation . . . . .	161, 163, 194, 195, 205
Incorporation, Berlin Building & Loan . . . . .	61, 94, 96, 146, 147, 152, 157
Interstate Co-operation, Commission of . . . . .	301, 415, 419, 469
513, 525, 550, 573	
Inspection, motor vehicle . . . . .	427
Issuance with State guarantee of emergency notes and bonds . . . . .	51, 52
58, 60, 63, 64, 209, 220, 226	
Injunctions in labor disputes . . . . .	149, 180, 182, 198, 199, 208, 239
Insurance companies, foreign . . . . .	73, 108, 112, 115, 122, 123
235, 236, 237, 238, 240, 246, 252	
Investments by guardians . . . . .	246

## J

Jetties, Hampton River, appropriations for . . . . .	196, 197, 226, 228, 239
Joint convention . . . . .	7, 8, 20
rules of last session adopted . . . . .	6, 8
standing committees . . . . .	14, 15
Journals, printing of, Fridays and Mondays . . . . .	8
Jugs, milk, relating to brands for . . . . .	195, 210, 211, 220, 269, 312, 357
Justices' salary, Municipal Court, Franklin . . . . .	280, 281, 305
308, 341, 350, 357	

## K

Kearsage Mountain, laying out highway on . . . . .	280, 281, 306, 353, 361, 387
Kidnapping, relating to . . . . .	201, 202, 224, 228, 239
Kingston, completion of road in . . . . .	302, 304, 366, 372, 394, 423, 426

## L

Labor, relating to hours of . . . . .	344, 346, 385, 421, 424
hours of, for guards, etc. . . . .	41
and industry . . . . .	469, 471, 535, 536
disputes, injunctions in . . . . .	149, 180, 182, 198, 199, 208, 239
Laconia, improvement of road in . . . . .	296, 298, 340, 343, 358
Lancaster, Meadow Brook in . . . . .	65, 109, 112, 310, 446, 447

- Landaff, completion of road in . . . . . 303, 305, 520, 529, 540, 573, 574
- Lakeman, Raymond B., elected sergeant-at-arms and qualified . . . 5, 6
- Lake Tarleton, closed to ice fishing . . . . . 42, 109, 112
- Law, practice of by corporations . . . . . 106, 107, 178, 182, 189, 197, 206
- Leaves of absence . . . . . 27, 28, 46, 51, 53, 58, 61, 64, 69, 80, 83, 87  
     106, 151, 184, 191, 229, 233, 240, 245, 248, 260, 288  
     309, 337, 344, 349, 403, 420, 450, 468, 480, 490, 530
- Ledyard Bridge, expenses of . . . . . 309, 312, 478, 480, 517
- Lee, improvement of road . . . . . 33, 284, 375, 395, 423, 427
- Legalize town meeting, Campton . . . . . 184, 185, 196, 199, 206  
     Greenville . . . . . 184, 185, 198, 199, 205, 206, 207  
     city election, Laconia . . . . . 160, 162, 167
- Legal investments by guardians . . . . . 42, 55, 56, 57, 482, 483
- Legislature, in favor of the . . . . . 554, 556, 557, 574
- Lettre, Joseph, in favor of . . . . . 301, 303, 405, 452, 459, 487
- Licenses for druggists to sell liquors . . . . . 278  
     milk distributors . . . . . 252, 275  
     clubs, relating to . . . . . 99, 242
- Lien, on real estate . . . . . 61, 62, 89, 91, 96
- Liquor laws, definition of terms in . . . . . 219, 250
- Lighting system, municipal . . . . . 344, 346, 414, 415, 419, 431, 548, 563, 578
- Live poultry, buying and selling of . 201, 202, 242, 244, 251, 252, 260, 266
- Liability of towns, relating to . . . . . 258, 271, 273, 373, 374  
     375, 418, 426, 445, 479
- Loan Associations, relating to . . . . . 234, 235, 255, 258, 262  
     279, 282, 313, 337, 345  
     secured from Government . . . . . 31, 101, 111, 112, 226
- Lotteries, relating to . . . . . 191, 192, 209
- Lord's Day, the observance of . . . . . 395, 398, 436, 443, 444
- Lunch period, provided for women and children . . . . . 80, 81, 164, 165
- Lyme, bond issue . . . . . 264, 273

## M

- Madbury, improvement of road in . . . . . 302, 304, 366, 371, 396
- Maintenance, steam flow gauging station . . . . . 280, 281, 415, 419, 426, 427
- Manchester Safety Deposit & Trust Company to change name . . . 84, 94  
     98, 125
- Manchester, two platoons, fire system . . . . . 150, 251
- Maternal and child health . . . . . 505, 508
- Malicious injuries, relating to . . . . . 61, 62, 102, 105, 115, 133, 147
- Masonic Home, charter amended . . . . . 47, 55, 57, 62, 67, 68
- Management, Water Works, Peterborough . . . . . 221, 224, 238, 240, 247
- Manufacture, alcoholic beverages . . . . . 416, 436, 443, 505  
     526, 563, 564, 572, 573
- Membership, State Cancer Commission . . . . . 277, 478, 479

- Meredith, validating vote at . . . . . 246, 247, 252  
 Merrimack River, stabilizing of . . . . . 44, 99, 101, 125  
     County, issue of notes . . . . . 84, 95, 100, 110  
 Meredith, relating to road in . . . . . 288, 289, 339, 342, 351  
 Messages from Governor . . . . . 9, 10, 11, 12, 13, 33, 34  
     House . . . . . 9, 19, 20, 21, 26, 27, 30, 33, 40, 43, 45, 47, 48  
         51, 53, 58, 61, 67, 69, 73, 76, 80, 84, 86, 87, 93, 98  
         100, 106, 114, 124, 126, 132, 145, 149, 151, 161, 166, 168, 175  
         184, 190, 191, 196, 201, 206, 208, 221, 229, 233, 234, 240, 246  
         248, 253, 260, 263, 264, 268, 274, 278, 280, 288, 296, 301, 309  
         337, 344, 349, 358, 362, 372, 388, 391, 402, 421, 428, 443, 450  
         469, 480, 490, 505, 517, 525, 549, 554, 558, 561, 572, 576, 578  
 Methen line, road to . . . . . 350, 405, 406, 419, 431, 432, 494, 550, 562, 577  
 Messengers, election and qualification of . . . . . 7, 8  
 Milk, sale and distribution . . . . . 248, 275  
     control of . . . . . 106, 107, 135, 152, 159, 167  
 Miniature flags, relating to sale of . . . . . 248, 250, 270, 273, 335, 345, 357  
 Mitchell, Ralph P., in favor of . . . . . 54, 186  
 Milan, in favor of . . . . . 469, 470, 471, 492, 552, 574  
 Minors, false statement by . . . . . 268, 269, 487, 490  
 Mortuary regulations, relating to . . . . . 48, 133, 168, 169  
     170, 175, 359, 360, 396  
 Mothers, dependent aid for . . . . . 443, 445, 471, 480, 517  
     aid, additional funds for . . . . . 40, 41, 45, 52  
 Motor vehicle, administration of law . . . . . 254, 265, 267, 271, 274, 300  
     accidents, compensation . . . . . 158, 166, 290, 291  
         292, 293, 294, 306  
     inspection . . . . . 427  
     extended use of number plates on . . . . . 19, 28, 30, 33  
     glaring headlights on . . . . . 72, 346, 347, 348  
         443, 444, 525, 546, 549  
     permit fees, transfer credits . . . . . 55, 89, 91, 241  
     operation of . . . . . 191, 193, 209, 210, 220  
         230, 249, 285, 336, 421, 426  
         by non-residents . . . . . 252, 347, 358, 369  
             370, 371, 421, 426  
     lights and parking of . . . . . 65, 85, 86, 344, 345  
         355, 397, 418, 419, 444, 479  
     shatterproof glass on . . . . . 66, 85, 86, 97  
         104, 210, 228, 288, 300  
     trailers relating to . . . . . 191, 193, 209, 220, 239  
     weight of . . . . . 469, 470, 492, 504, 548  
 Moultonborough, construction of bridge . . . . . 337, 338, 520  
     529, 540, 554, 573

Municipal Water Works . . . . .	191, 192, 209, 220, 239
Budget Act . . . . .	88, 95
Court, relating to . . . . .	301, 303, 365, 371, 396
finances, relating to . . . . .	184, 185, 198, 206, 224, 228, 239
Munden, Endora M., in favor of . . . . .	248, 250, 276, 313, 337, 357

## N

Nashua, amending Charter of . . . . .	67, 129, 130, 131, 132, 149, 152, 167, 197
Young Men's Christian Association . . . . .	272, 288, 311, 312, 357
Neal, Guy S., <i>et al.</i> , in favor of . . . . .	80, 81, 107, 108, 112
	125, 126, 525, 527, 552, 574
Newbury, completion of road . . . . .	297, 299, 351, 360, 385, 386, 404, 418
New building projects, relating to . . . . .	50, 89, 90, 104, 131, 135
	157, 158, 163, 172, 175, 254
New Durham, legalizing election . . . . .	47, 55, 57, 65
New Hampton, improvement of road . . . . .	297, 299, 340, 343, 358
New Hampshire, Commission Interstate Corporation . . . . .	513, 525, 573
home industries . . . . .	196, 197, 257
State employment service . . . . .	486, 503, 505
	539, 540, 554, 574
Veterans' Association, Weirs . . . . .	58, 353, 361, 368
Water Resources Board . . . . .	421, 423, 472, 473
	475, 477, 480, 491, 517
North Hampton, improvement of road . . . . .	8, 352, 353, 361, 481
	482, 508, 528, 560, 563, 577
breakwater in . . . . .	288, 289, 313, 366, 371, 393, 423, 426
Norcross, Edward, in favor of . . . . .	350, 405, 452, 459, 487
Nottingham, road improvement . . . . .	297, 299, 351, 360, 385, 404, 418
Nubanusit Lake, ice fishing in . . . . .	70, 109, 112, 125
Nugent, Georgiana, in favor of . . . . .	421, 424, 454, 486, 489, 517
Nuisances, relating to . . . . .	51, 52, 164, 167, 176, 190
Number plates, extended use of . . . . .	19, 28, 30, 33

## O

Oaths, administered . . . . .	3, 4
One day rest in seven, regarding . . . . .	100, 101, 133
Office, State Veterans' Service Officer . . . . .	268, 269, 366, 416, 419, 426
Opinion, Supreme Court, S. B. No. 15 . . . . .	151
S. B. No. 37 . . . . .	390
Optometry, practice of . . . . .	240, 242, 256, 258, 266
Operation, toll road as public utility . . . . .	373, 376, 415, 419
	425, 426, 444, 479
aerial tramway . . . . .	447, 448, 491, 506, 549
special . . . . .	102, 111, 164, 172, 347, 358, 381, 398
Order, vacated . . . . .	272, 277, 398, 448, 489, 527

Organization, Senate . . . . .	4, 5, 6, 7
House . . . . .	7, 8, 9
Outdoor advertising, regulation of . . . . .	227
Ossipee, road improvement . . . . .	302, 304, 367, 372, 396

## P

Parking, motor vehicles . . . . .	65, 85, 86, 344, 345, 354
	355, 397, 418, 419, 444, 479
Paroled, prisoners relative to . . . . .	260, 261, 270, 273, 285
Paupers, settlement of . . . . .	42, 224, 225, 238, 239, 240
Payment of wages . . . . .	93, 94, 383, 384, 389, 403, 418
weekly . . . . .	84, 104, 105, 122, 203, 204, 208, 264, 272
Passenger automobile division, State garage . . . . .	513, 527
Peddlers, relating to . . . . .	266, 305
Pedestrians, relating to . . . . .	65, 346
People's Council, appointment of . . . . .	55, 257
Penacook Union School . . . . .	194, 310, 311, 357
Pembroke, road improvement in . . . . .	369, 406
Perambulation, of town lines . . . . .	161, 163, 198, 199, 205
New Hampshire-Vermont boundary . . . . .	268, 269, 284
	313, 337, 357
Peterborough, water commissioner for . . . . .	80, 81, 109, 112, 122
completion of roads in . . . . .	302, 304, 366, 371, 396
Water Works management . . . . .	221, 224, 238, 240, 247
Pelham, road improvement . . . . .	297, 300, 351, 360, 368
Pellerin, Alfred, in favor of . . . . .	274, 425
Permits, increase in fees for . . . . .	557, 558, 573, 574
Permit fees, repayment of . . . . .	67, 81, 82, 107, 112, 122
Persons and property, exempt taxation . . . . .	182, 230
Persons, dependent, aid for . . . . .	481, 486, 503, 505, 550, 552, 553, 561, 574
Personal property mortgages . . . . .	111, 112, 196
privilege . . . . .	113
property, in unorganized places . . . . .	114, 115, 153
	159, 162, 176, 207
Pickford, William F., in favor of . . . . .	301, 303, 433, 434, 452
	459, 484, 515, 519, 575
Plan for relief, committee for . . . . .	22, 26, 66
Planning and Development Committee . . . . .	201, 202, 230, 233, 247
Plumbers, Examining Board of . . . . .	417, 478, 480, 550, 574
Power boats, relating to . . . . .	105, 275
Powers, Fish and Game Commission . . . . .	240, 242, 377, 379, 380
	381, 398, 400, 401, 402, 403, 423, 436, 437
	438, 439, 440, 441, 445, 455, 456, 481, 517



- Portsmouth, Charter amended . . . . . 168, 365  
     powers and duties of police commissioner of . . . . . 221, 224  
     365, 371, 396  
 Poultry, live, buying and selling of . . . . . 201, 202, 242, 244  
     251, 252, 260, 266  
 Practice of dentistry . . . . . 70, 153, 154, 159, 167  
     chiroprody . . . . . 80, 81, 186, 190, 197, 234, 235, 247  
     law by corporations . . . . . 106, 107, 178, 182, 189, 197, 266  
     optometry . . . . . 240, 242, 256, 258, 266  
 President's address . . . . . 4, 5  
 President of Senate, election of . . . . . 4, 5  
 Prevention and fire protection . . . . . 35, 36, 37, 38, 39  
 Primary petitions . . . . . 161, 162, 193, 195, 205, 218  
 Private employment agencies . . . . . 240, 242, 283  
 Prosecuting officers, information for . . . . . 132, 133, 163, 168, 170, 185, 190  
 Probate office, Rockingham County, clerk hire . . . . . 73, 89, 91  
     94, 95, 100, 110  
 Process, service of, upon security dealers . . . . . 125, 153, 159, 167  
 Province Road, improvement of . . . . . 301, 303, 351, 360, 368  
 Provincial records of state . . . . . 51, 52, 62, 64, 68  
     repair of . . . . . 51, 52, 62, 64, 68  
 Public forest land . . . . . 369, 501, 502, 504, 555, 574  
     taxes, assessment . . . . . 51, 52, 62, 64, 74  
     eating places, toilets in . . . . . 161, 163, 392, 393, 403  
     431, 522, 523, 526, 536, 574  
     employment of veterans . . . . . 344, 346, 384, 390, 404, 456, 457  
     470, 488, 523, 524, 529, 550, 574  
     works, relating to . . . . . 372, 376, 424, 425, 428, 444, 479  
     Service Commission, relating to . . . . . 260, 261, 266, 274, 279, 295  
     392, 403, 422, 430, 431, 479  
     enforcement of orders by . . . . . 201, 202, 257  
     laws, amendment of . . . . . 263  
     relating to taxation, banks . . . . . 31, 235  
     utility laws, study of . . . . . 93, 94, 134, 152, 153, 159, 161, 167  
     utilities, relating to . . . . . 373, 376, 415, 419, 425, 426, 444, 479  
     rates and charges of . . . . . 54, 257  
 Purchase, certain land, Berlin . . . . . 308, 367, 372, 444  
     field notes deceased, surveyors . . . . . 100, 101, 152, 159  
     170, 171, 185, 190

## R

- Racing Commission, creating a State . . . . . 132, 133, 170, 174  
     175, 180, 181, 185, 190  
 Railroad Upper Coos . . . . . 58, 85, 86, 104

Real estate, levy of executions on . . .	201, 202, 256, 258, 261, 262, 269, 273
sale of . . . . .	469, 471, 509
lein on . . . . .	61, 62, 89, 91, 96
Recalled from Governor . . . . .	63, 122, 220, 243, 262, 279
	295, 361, 468, 488, 529, 563
Reconsideration . . . . .	174, 200, 206, 227, 232
	243, 285, 294, 307, 488, 490
Recount of ballots, after elections . . . . .	201, 202, 224, 227, 239
on sale of liquor . . . . .	206
Registration, weighing and measuring devices . . . . .	337, 338, 415
Regulate traffic of liquor . . . . .	372, 376, 416, 419, 468, 509, 510, 529, 550, 574
Regulations, mortuary, relating to . . . . .	48, 133, 168, 169
	170, 175, 359, 360, 396
Registration motor vehicles, non-residents . . . . .	252, 347, 358, 369
	370, 371, 421, 426
Reimbursements to State laboratory of hygiene . . . . .	221, 224, 238
	243, 254, 258, 265
Resolution of adjournment . . . . .	241
Relief, relating to . . . . .	51, 52, 58, 60, 63, 67, 68
work, relating to . . . . .	372, 376, 396
administration . . . . .	27, 28
direct, grants to towns for . . . . .	206, 207, 218
Revise and amend Fish and Game Laws . . . . .	280, 281, 407, 408, 409, 410
	411, 412, 413, 419, 445, 457, 458, 470, 506, 549
Richmond, relative to town line . . . . .	88, 96
Rochester, lay out State highway in . . . . .	288, 289, 339, 342, 361
	362, 389, 390, 404, 418
Rockingham County, salary of commissioners . . . . .	269, 284, 286, 300
Roll calls . . . . .	173, 214, 511, 522, 535, 536
Rollinsford, road improvement in . . . . .	373, 376, 446, 448, 454, 455, 481, 517
Room assignments . . . . .	21, 31, 32
Rules of Senate . . . . .	14, 15, 16, 17, 18
Rumney, road improvement in . . . . .	297, 299, 340, 343, 358
Rural electrification, to promote . . . . .	428, 432, 512, 513, 529, 573
Rye Harbor, improvement of . . . . .	481, 486, 502, 504, 549

## S

Sale of beer . . . . .	266, 276
beverages, first-class hotel . . . . .	488
certain alcoholic beverages . . . . .	219, 250
and transportation of beverages . . . . .	416, 436, 443, 505
	526, 563, 564, 573, 574
alcoholic beverages . . . . .	73, 102, 103, 105, 114, 135
	136, 137, 145, 151, 152, 167
certain State property . . . . .	161, 162, 193, 195, 214, 230, 239

- liquor, relating to . . . . . 87, 88, 154, 159, 167, 168, 271, 273, 285
- eggs, wholesale or retail . . . . . 175, 176, 178, 212, 213
  - 219, 229, 230, 249, 265
- Salary, Justice Municipal Court, Franklin . . . . . 280, 281, 305
  - 308, 341, 350, 357
- Treasurer, Rockingham County . 288, 289, 365, 371, 394, 423, 426
- Salaries paid by State of New Hampshire . . . . . 469, 471, 504
  - State officers and employees . . . . . 42
- Salem, legalizing election . . . . . 40, 41, 49, 52
- Sandwich, improvement and completion of road . 296, 298, 552, 559, 577
- Sawyer, Roy G., in favor of . . . . . 297, 300, 433, 452
  - 459, 484, 514, 519, 575
- Savings banks, deposits of cash in . . . . . 234, 235, 251, 253, 266
- School districts, relating to . . . . . 76, 255, 258, 264, 273
  - board members, rights of . . . . . 161, 163, 194, 195, 205
  - district meeting, Washington . . . . . 196, 197, 209, 220, 239
- Senate, organization of . . . . . 4, 5, 6, 7
  - resolution, hours of meeting . . . . . 6, 7
  - rules . . . . . 14, 15, 16, 17, 18
- Sewer system, town of Claremont . . . . . 87, 96
- Sewage, discharge of . . . . . 47, 73, 75, 77, 78, 88, 96
- Shatterproof glass, motor vehicles . 66, 85, 86, 97, 104, 210, 228, 288, 300
- Shevely, William, in favor of . . . . . 31, 44, 207, 230, 233, 260, 264, 273
- Somersworth, bond issue . . . . . 150, 176, 196, 206
- Smelt, salt water, taking of . . . . . 66, 109, 181, 182, 222, 252, 436, 443
- Special order . . . . . 102, 111, 164, 172, 347, 358, 381, 398
  - vote, Andover, Errol . . . . . 441, 486, 488, 489, 503, 505, 549
- Springfield, road improvement . . . . . 297, 299, 341, 343, 358
- State aid, Class 2 and 5 highways . . . . . 80, 81, 90, 91, 104
  - aided, highways, bridges on . . . . . 100, 101, 153, 159, 167
  - advertising, appropriation for . . 80, 81, 126, 132, 149, 150, 162, 167
  - emergency borrowing for . . . . . 67, 68, 85, 86, 90
  - building, relating to . . . . . 481, 486, 503, 505, 538, 554, 574, 578
  - board, health, lying-in-hospitals . . . . . 47, 73, 75, 78
    - in favor of . . . . . 443, 445, 478, 480, 517
  - welfare and relief . . . . . 106, 107, 116, 117, 118, 119, 120, 121
    - 123, 124, 126, 127, 137, 138, 139
    - 140, 141, 142, 143, 144, 145, 147
- Cancer Commission, membership of . . . . . 277, 478, 479
- contracts, relating to . . . . . 254, 289, 290, 303, 307, 338, 402, 417, 458
- compacts, regarding . . . . . 512, 521, 522
- expenses, ending June 1936 . . . . . 391, 495, 496, 497, 498, 504, 519
  - 561, 564, 565, 566, 567, 568, 576, 578
- June 1937 . . . . . 391, 498, 499, 500, 504, 519, 561
  - 568, 569, 570, 571, 572, 576, 578

Hospital, commitment to . . . . .	221, 224, 256, 258, 266
House Department, in favor of . . . . .	373, 376, 416, 419, 427
employment service. . . . .	481, 486, 503, 505, 539, 540, 554, 574
office building, erection of . . . . .	20
land, reimburse Federal Government . . . . .	428, 432, 500, 502, 504, 549
Liquor Commission, relating to . . . . .	42, 110, 111, 127, 128
prison, hours of labor for guards. . . . .	41
Racing Commission, creating a . . . . .	132, 133, 170, 174 175, 180, 181, 185, 190
Planning and Development Commission . . . . .	76, 77, 82, 83, 86
tax assessment . . . . .	525, 527, 552, 574
treasury, to rehabilitate for loss . . . . .	505, 509, 552, 574
Veterans' Service Officer . . . . .	268, 269, 272, 366, 416, 419, 426
Statement false, of age by minors . . . . .	268, 269, 487, 490
Standard time, relating to . . . . .	175, 178, 213
Standing committees . . . . .	13, 14
Stenographers appointed . . . . .	7
Stewardstown, road improvement in . . . . .	303, 305, 520, 529, 575
special town meeting at . . . . .	269, 284, 286, 300
Stream flow gauging stations, maintenance of . . . . .	280, 281, 415 419, 426, 427
Strafford County, register of deeds . . . . .	280, 281, 305, 308, 342
Superior Court, relating to . . . . .	67, 84, 131, 132, 135, 146, 177, 217, 218, 235
power of . . . . .	280, 281, 446, 447, 448, 469, 517
terms of . . . . .	201, 202, 256, 258, 262, 263, 305
opinions. . . . .	157, 290
Suspended sentences, relating to . . . . .	106, 107, 163, 167, 188, 189, 197, 205
Suspension of rules . . . . .	21, 28, 29, 34, 43, 44, 53, 57, 60, 64, 66 68, 72, 75, 78, 83, 86, 91, 112, 182, 207, 227 248, 258, 286, 295, 301, 336, 342, 360, 371 389, 402, 418, 427, 442, 448, 458, 479, 551

## T

Taken from table . . . . .	127, 181, 194, 238, 306, 369 389, 397, 418, 495, 536, 540, 563
Tamworth, road improvement in . . . . .	302, 304, 366, 372, 396
Tax assessment of, for apportionment . . . . .	525, 527, 552, 574
collectors, relating to . . . . .	46, 177, 265, 269
in relation to . . . . .	201, 202, 224, 227, 231, 241, 252
duties of town . . . . .	242, 274, 305, 308
on legacies and succession increased . . . . .	450, 452, 503, 505 529, 530, 537, 538, 573
Taxation by Federal Government on income . . . . .	48, 53
Telegraph lines on highways . . . . .	344, 346, 365, 371, 396
Toll bridge, Cornish . . . . .	288, 289, 366, 372, 396

Traffic control, by signals . . . . .	373, 376, 446, 448, 479
in intoxicating liquors . . . . .	252, 275, 279, 280, 285, 286, 294
. . . . .	295, 381, 382, 389, 469, 470, 488, 507
. . . . .	525, 553, 556, 572, 575, 576, 577, 578
in liquor to regulate . . . . .	149, 151, 176, 192
Trailers, relating to . . . . .	344, 346
motor vehicles . . . . .	191, 193, 209, 220, 239
Transfer, ownership motor vehicle . . . . .	208, 270
Transportation, relating to members' legislature . . . . .	281, 492, 524, 526, 546
. . . . .	547, 548, 555, 556, 557, 573
Trespasses and malicious injuries . . . . .	61, 62, 102, 105, 115, 133, 147
Trunk line and State-aided highways, reconstruction of . . . . .	80, 81
. . . . .	89, 91, 104
Trustees of trust funds . . . . .	246, 247

## U

Unauthorized persons, prevented practicing law . . . . .	106, 107, 178
. . . . .	182, 189, 197, 206
Unemployment, relating to Berlin . . . . .	161, 162, 183
compensation, establishment of . . . . .	264, 313, 314, 315
. . . . .	316, 317, 318, 319, 320, 321
. . . . .	322, 323, 324, 325, 326, 327
. . . . .	328, 329, 330, 331, 332, 333, 334
. . . . .	335, 347, 348, 364, 387, 388, 418
"definition of word" . . . . .	551, 558, 573, 574
administration of . . . . .	387
emergency relief by forestry work . . . . .	428, 432, 500
. . . . .	502, 504, 549
Unity, completion of road in . . . . .	302, 304, 366, 372, 396
Upkeep grounds, N. H. Veterans' Association, Weirs . . . . .	58, 353, 361, 368
United States Veterans' Bureau, relating to . . . . .	33, 44
Union School, Penacook . . . . .	194, 310, 311, 357
Universalist State Convention . . . . .	246, 270, 273, 285

## V

Vacated order . . . . .	272, 277, 398, 448, 489, 527
Veterans, public employment of . . . . .	344, 346, 384, 390, 404, 456, 457
. . . . .	470, 488, 523, 524, 529, 550, 574
Viva voce vote . . . . .	71, 77, 78, 90, 124, 128, 164, 166
. . . . .	173, 175, 189, 194, 195, 199, 206, 214, 218, 225
. . . . .	265, 272, 277, 285, 369, 371, 402, 418, 484, 522

## W

Wages, relating to . . . . .	80, 81, 165, 167, 177
------------------------------	-----------------------



- payment of . . . . . 93, 94, 383, 384, 389, 403, 418  
 weekly payment of . . . . . 84, 104, 105, 122, 203, 204, 208, 264, 272  
 Walpole, road improvement in . . . . . 302, 304, 367, 372, 396  
 Washington, road improvement in . . . . . 297, 300, 351, 360, 368  
     State aid road in . . . . . 54  
 Water Works, management of Peterborough . . . . . 221, 224, 238, 240, 247  
 Water Resources Board, establish . . . . . 421, 423, 472, 473, 474, 475  
     476, 477, 478, 480, 491, 517  
 Water Works, establish City of Manchester . . . . . 505, 508, 521, 529, 573  
 Water Works, municipal, relating to . . . . . 191, 192, 209, 220, 239  
 Weare, completion and improvement of road . . . . . 302, 304, 351, 360, 368  
 Weirs, upkeep N. H. Veterans' Association . . . . . 358, 353, 361, 368  
 Weight of motor vehicle, relating to . . . . . 469, 470, 492, 504, 548  
 Weights and measures, relative to . . . . . 78, 415  
 Webster, bond issue . . . . . 240, 242, 256, 259, 273  
 Weighing and measuring devices, registration of . . . . . 337, 338, 415  
 Welfare and relief, board of . . . . . 106, 107, 116, 117, 118, 119, 120, 121  
     123, 124, 126, 127, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147  
 Welfare Commission, establishing Veterans' . . . . . 226, 366  
     bond issue, Belknap County . . . . . 490, 491, 521, 529, 539, 554, 574  
 Westmoreland, completion of road in . . . . . 303, 305, 520, 529, 559, 577, 578  
 White, Lillian M., in favor of . . . . . 184, 185, 242, 243, 254, 258, 264, 273  
 Whitney, Harry L., in favor of . . . . . 301, 303, 432, 433, 452  
     458, 484, 489, 514, 519, 574  
 Wilmot, improvement of road in . . . . . 302, 304, 351, 360, 361, 368  
 Windham, road improvement in . . . . . 297, 300, 351, 360, 368  
 Woodsville fire district, relating to . . . . . 395, 469, 517  
 Women and minors, lunch period for . . . . . 80, 81, 164, 165  
 Workmen's Compensation Law, relating to . . . . . 421, 424, 530, 531  
     532, 533, 534, 559  
     amendments to . . . . . 491, 535

## Y

- Young Men's Christian Association, Nashua . . . . . 272, 288, 311, 312, 357







JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
JANUARY SESSION OF 1935



RUMFORD PRESS  
CONCORD, N. H.

# JOURNAL

*of the*

## HOUSE OF REPRESENTATIVES

### JANUARY SESSION OF 1935

---

WEDNESDAY, JANUARY 2, 1935.

On the first Wednesday in January, in the year of our Lord one thousand nine hundred and thirty-five, being the day designated by the constitution for the assembling of that body, the one hundred and twenty-fourth General Court of the state of New Hampshire convened at the Capitol in the City of Concord, and the representatives-elect were called to order by Harrie M. Young, clerk of the House for the preceding session.

The Clerk proceeded to call the roll and 416 members answering to their names a quorum was declared present.

On motion of Mr. Etsler of Claremont:

*Resolved*, That a committee of three be appointed by the clerk to wait upon His Excellency the Governor and inform him that a quorum of the House is assembled and requests his attendance.

The Clerk appointed Mr. Etsler of Claremont, Mr. Magoon of Littleton and Mrs. Charois of Greenfield as such committee.

His Excellency the Governor, having been informed that a quorum of the House was assembled, appeared, attended by the Honorable Council, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oaths of office agreeably to the provisions of the constitution.

## ROCKINGHAM COUNTY

Auburn . . . . .	Henry F. Dagan
Brentwood . . . . .	John W. Stevens
Candia . . . . .	Milton R. Stevens
Chester . . . . .	George L. Fitts
Deerfield . . . . .	Carl M. Fogg
Derry . . . . .	Ernest L. Abbott
	George Moody Currier
	Oliver H. Hepworth
	Walter A. Pillsbury
East Kingston . . . . .	Alvin E. Foss
Epping . . . . .	Jerry L. Thayer
Exeter . . . . .	Corning Benton
	Frank M. Cilley
	Charles C. Russell
	Reginald C. Stevenson
Fremont . . . . .	Austin E. Carlton
Greenland . . . . .	Thomas J. Brackett
Hampstead . . . . .	Adin S. Little
Hampton . . . . .	Herbert Perkins
Hampton Falls . . . . .	Louis B. Janvrin
Kingston . . . . .	James A. Lyford
Londonderry . . . . .	Wesley Adams
Newfields . . . . .	Thomas R. Sheehy
Newington . . . . .	Frederick M. Pickering
Newmarket . . . . .	Leo J. Turcotte
	Jonathan Walker
Newton . . . . .	A. Ralph Estabrook
North Hampton . . . . .	Irving W. Marston
Northwood . . . . .	William F. Mudge
Plaistow . . . . .	J. William Peaslee
Portsmouth—	
Ward 1 . . . . .	Andrew J. Barrett
	Mary C. Dondero
	Patrick J. Kittredge
Ward 2 . . . . .	Charles A. Allen
	Richard G. Pray

		Fred Garland Tucker
		John H. Yeaton
Ward 3	. . . .	Timothy J. Buckley
		James R. McNeil
Ward 4	. . . .	Simon P. Harmon
Ward 5	. . . .	Walter S. Abbott
		William T. Rose
Raymond	. . . .	Roger E. Eliot
Rye	. . . .	Walter G. Marston
Salem	. . . .	Carl Manor
		Leonard B. Peever
Seabrook	. . . .	Elihu T. Adams
South Hampton	. . . .	Rufus B. Floyd
Stratham	. . . .	Marshall S. Chase
Windham	. . . .	Bessie Emerson

## STRAFFORD COUNTY

Barrington	. . . .	Clarence B. Locke
Dover—		
Ward 1	. . . .	Fred Coffin
		Thomas H. Keenan
		Albert J. Pomerleau
Ward 2	. . . .	Philias J. Chabot
		Patrick J. Durkin
		William F. Howard
Ward 3	. . . .	George W. Garland
		Haldimand W. Neal
Ward 4	. . . .	Carroll E. Hall
		Francis Clyde Keefe
		Dennis M. McDonough
Ward 5	. . . .	Edward Durnin
Durham	. . . .	Oren V. Henderson
Farmington	. . . .	William E. Gelinas
		Ernest E. Lefavour
Madbury	. . . .	John S. Elliott
Milton	. . . .	Stanley C. Tanner
Rochester—		
Ward 1	. . . .	Thomas H. Gotts

Ward 2	. . . .	George Y. Emerson Charles V. Morgan
Ward 3	. . . .	Rudolph G. Cartier
Ward 4	. . . .	Louis S. Bergeron Hervey E. Turcotte
Ward 5	. . . .	Spencer Dickinson
Ward 6	. . . .	Sara E. Greenfield Ralph F. Seavey
Rollinsford	. . . .	John M. Tighe
Somersworth—		
Ward 1	. . . .	Placide J. Lagueux
Ward 2	. . . .	John R. Hodsdon
Ward 3	. . . .	Alfred J. Boucher
Ward 4	. . . .	Frank Deschenes Edward L. Flanagan
Ward 5	. . . .	Thomas P. Robinson
Strafford	. . . .	William J. Elson

## BELKNAP COUNTY

Alton	. . . . .	Oe Varney
Barnstead	. . . . .	Harry E. Little *
Belmont	. . . . .	Fred H. Piper
Gilford	. . . . .	Perry E. Hunt
Gilmanton	. . . . .	Ralph G. Page
Laconia—		
Ward 1	. . . . .	Dana S. Beane James B. Dodge
Ward 2	. . . . .	Alfred L. Guay Thomas J. Guay
Ward 3	. . . . .	Michael J. Carroll
Ward 4	. . . . .	Oscar L. Hoyt George C. Stafford
Ward 5	. . . . .	Alfred J. Cantin Arthur R. Merrill
Ward 6	. . . . .	Charles H. Dow Charles L. Simpson
Meredith	. . . . .	Edward S. Gordon William J. Neal



New Hampton . . .	Frank C. Plastridge
Sanbornton . . .	John S. Wallis
Tilton . . . . .	Arthur K. Smart

## CARROLL COUNTY

Bartlett . . . . .	Scott C. W. Simpson
Conway . . . . .	Burnham B. Davis
	Perley W. Mudgett
	George W. Russell
Effingham . . . . .	John G. Thompson
Jackson . . . . .	Arthur P. Gale
Madison . . . . .	George A. Lyman
Moultonborough . . . .	Charles W. Banfield
Ossipee . . . . .	Mark H. Winkley
Sandwich . . . . .	Charles B. Hoyt
Tamworth . . . . .	Charles B. Weeks
Tuftonboro . . . . .	Frank Hilliard
Wakefield . . . . .	Alden N. Young
Wolfeboro . . . . .	Stephen W. Clow
	Harold H. Hart

## MERRIMACK COUNTY

Allenstown . . . . .	Alcide Courtemanche
Andover . . . . .	Oliver H. Munroe *
Boscawen . . . . .	Frank L. Reardon
Bradford . . . . .	Paul W. Danforth
Canterbury . . . . .	William C. Tallman
Chichester . . . . .	John L. T. Shaw
Concord—	
Ward 1 . . . . .	Charles P. Coakley
	Harry W. Matott
Ward 2 . . . . .	George O. Robinson
Ward 3 . . . . .	George W. Kemp
Ward 4 . . . . .	Robert O. Blood
	Arthur J. Boutwell
	Paul Amos Mansur
Ward 5 . . . . .	Harold H. Blake
	Edward A. Dame

Ward 6 . . . . .	George H. Nash Donald W. Saltmarsh Arthur F. Sturtevant John C. Tilton
Ward 7 . . . . .	Shirley Brunel Allen M. Freeman George Azro Maxham Craig Wylie
Ward 8 . . . . .	William A. Lee
Ward 9 . . . . .	William J. Ahern Thomas F. Donovan
Danbury . . . . .	Stephen J. Ford
Dunbarton . . . . .	Francis H. Buffum
Epsom . . . . .	Edward B. Demers
Franklin—	
Ward 1 . . . . .	Donald J. Piper
Ward 2 . . . . .	Emile Carignan Eusebe P. Lemire
Ward 3 . . . . .	Charles H. Bean, Jr. John Patrick Dempsey
Henniker . . . . .	Fred A. Peaslee
Hooksett . . . . .	Ephrem Lafond Robert H. Stobie
Hopkinton . . . . .	John S. Ball
Loudon . . . . .	Charles L. Merrill
Newbury . . . . .	Oscar A. Colburn
New London . . . . .	Charles E. Shepard
Northfield . . . . .	Dixon F. Vancore
Pembroke . . . . .	Euclide Turgeon Foster G. Warren
Pittsfield . . . . .	John H. Perkins Robert H. Sanderson
Salisbury . . . . .	Burton F. Sanborn
Sutton . . . . .	William B. Connor
Warner . . . . .	Alfred S. Cloues
Wilmont . . . . .	Ernest Howard

## HILLSBOROUGH COUNTY

Amherst . . . . .	Benjamin F. McNamee
Antrim . . . . .	Erwin D. Putnam
Bedford . . . . .	Albert C. Hodgman
Bennington . . . . .	Arthur J. Pierce
Brookline . . . . .	James Herbert Gilson
Deering . . . . .	Leroy H. Locke
Francestown . . . . .	Joseph H. Chandler
Goffstown . . . . .	Clarence J. Avery
	R. Robert Matheson
	William Sym
Greenville . . . . .	Bernadette E. Charois
Hancock . . . . .	Wendell D. Crowell
Hillsborough . . . . .	George W. Boynton
	Bert L. Craine
Hollis . . . . .	Henry A. Wilson
Hudson . . . . .	Fred T. Goodwin
	Arthur W. Smith
Litchfield . . . . .	John A. Reid
Manchester—	
Ward 1 . . . . .	Joel S. Daniels, Sr.
	Dana A. Emery
	Edward T. Knowlton
	Allan M. Wilson
Ward 2 . . . . .	Charles Henry Barnard
	Harry W. Bergholtz
	Perley W. Gage
	Kenneth F. Graf
	Wendell M. McIntire
Ward 3 . . . . .	John J. Barry
	Michael J. Dwyer
	John J. O'Reilly
	Michael A. Talty
	Jeremiah J. Tobin
Ward 4 . . . . .	James K. Clougherty
	William W. Corey
	William J. Fitzgerald
	Dennis F. Mahoney

Ward 5	. . . . .	Stanley Joseph Betley William F. Clancy Patrick J. Creighton George T. Healy Martin L. Mahoney John C. O'Brien Patrick J. Sweeney
Ward 6	. . . . .	William J. Booth John G. Clancy Arthur J. Connelly Daniel F. Healy John P. Jordan John Joseph Sullivan
Ward 7	. . . . .	Zoel F. Charland Francis X. Cote Francis A. Farrell Alcide R. Gagnon Alphee J. Peloquin Gedeon A. Turcotte
Ward 8	. . . . .	Joseph A. Bernier Frank J. Bolton Edward F. Bouthiette Joseph O. Gelinas Martin Holleran Peter J. McDonough J. Vincent Moran Walter J. T. Richard
Ward 9	. . . . .	John F. Driscoll Timothy F. Hayes Alfred H. Lavallee
Ward 10	. . . . .	Francis L. Gallagher Philippe Gaudreault Oscar E. Getz, Sr. John J. Kearns
Ward 11	. . . . .	Bernard T. McLaughlin Elmer D. Roukey Frank H. Sweeney Henry J. VanVliet

Ward 12 . . . .	Joseph P. Aubin Arthur Blanchette George E. Desruisseaux Alpha J. Letendre Louis J. Soucy
Ward 13 . . . .	Horace Brouillette J. Felix Daniel Thomas Ladouceur Lucien G. Lambert Wilfred S. Lariviere
Mason . . . . .	Charles L. Barnes
Merrimack . . . . .	Claude M. Maker
Milford . . . . .	Gertrude N. Howison Fred T. Wadleigh William Weston
Mont Vernon . . . . .	Willard P. Woods
Nashua—	
Ward 1 . . . . .	Stephen W. Bastow William J. Fowell Ovid F. Winslow Charles I. Woodbury
Ward 2 . . . . .	George E. Danforth Wilbrod E. Francoeur
Ward 3 . . . . .	John E. Bernard Frank Boilard John Letendre
Ward 4 . . . . .	John C. Barry John D. Dugan
Ward 5 . . . . .	Abraham J. Charbonneau * Henry A. Dion Albert Maynard
Ward 6 . . . . .	Amedee W. Fournier Paul A. Moran Theodore O. Ravenelle
Ward 7 . . . . .	Thomas W. Hough Gerard R. Lavigne William F. Maddox, Jr.
Ward 8 . . . . .	Arthur O. Bourque



	Rodolphe Cormier
	James H. Glynn
	William A. Molloy
Ward 9 . . . . .	Paul E. Bouthillier
	Roland R. Desmarais
New Boston . . . . .	Charles E. Baker
New Ipswich . . . . .	William T. Thompson
Pelham . . . . .	Albert H. Jones
Peterborough . . . . .	George D. Cummings
	Forrest C. Mercer
Weare . . . . .	Frank H. Peaslee
Wilton . . . . .	Philip C. Heald

## CHESHIRE COUNTY

Alstead . . . . .	Henry LeRoy Estabrook
Chesterfield . . . . .	Ralph C. Chickering
Dublin . . . . .	Arthur T. Appleton
Fitzwilliam . . . . .	Julius H. Firmin
Gilsum . . . . .	William B. Hanson
Harrisville . . . . .	John N. Clark
Hinsdale . . . . .	Walker S. Kimball
Jaffrey . . . . .	Lester F. Hammond
	James B. Perry
Keene—	
Ward 1 . . . . .	William J. Callahan *
	William E. Hetherman
	Jerry Keating
	John F. Shea
Ward 2 . . . . .	Forrest W. Hall *
	William E. Jones
Ward 3 . . . . .	Wilder F. Gates
	Cowling Hilton
Ward 4 . . . . .	Marquis O. Spaulding
	Clarence A. Wardwell
Ward 5 . . . . .	Carl D. Roche
	John E. White
Marlborough . . . . .	Leon E. Wiswall
Marlow . . . . .	Fred G. Huntley

Richmond . . . . .	Stephen A. Bullock
Rindge . . . . .	Harris H. Rice
Swanzey . . . . .	William R. Granger
	Herman H. Perry
Troy . . . . .	Don W. Randall
Walpole . . . . .	John W. Graves
	Donald J. Kiniry
Westmoreland . . . .	Glenn E. Britton
Winchester . . . . .	Eli J. Horner
	Arthur P. Read

## SULLIVAN COUNTY

Charlestown . . . . .	Charles S. Hutchins
Claremont . . . . .	Herbert C. Chandler
	James D. Daly
	Clarence B. Etsler
	Morris M. Freeman
	E. Earl Hosking
	Albert D. Leahy
	Erwin W. Quimby
	Albert Stetson
	Edwin A. Thomas
Cornish . . . . .	Eben M. Johnson
Croydon . . . . .	Asa D. Cutting
Grantham . . . . .	Wilfred A. Reney
Lempster . . . . .	Fred A. Barton
Newport . . . . .	Elsie Cora Bailey
	Maurice H. Cummings
	Maurice J. Downing
	Tharon I. Farmer
Plainfield . . . . .	Palmer C. Read
Sunapee . . . . .	Leo L. Osborne
Unity . . . . .	George B. Cram
Washington . . . . .	Charles H. Emerson

## GRAFTON COUNTY

Ashland . . . . .	Sheldon E. Ellis
Bath . . . . .	Amos N. Blandin

Benton . . . . .	Walter J. Yeaton
Bethlehem . . . . .	Harry A. Goodwin
Bristol . . . . .	Willard S. H. Remick
Campton . . . . .	Lester E. Mitchell
Canaan . . . . .	Joseph L. Graham
Easton . . . . .	Oliver L. Bowles
Enfield . . . . .	Val M. Hardy
Franconia . . . . .	Arthur W. Sawyer
Grafton . . . . .	Clinton S. Williams
Hanover . . . . .	Alfred W. Guyer
	Edgar Hayes Hunter
	Robert J. Putnam
Haverhill . . . . .	Frank N. Keyser
	Herbert C. Merrill
	Rhett R. Scruggs
Holderness . . . . .	Mark K. Marden
Lebanon . . . . .	Roy C. Hathorn
	Florence Ward Hoyt
	Fred A. Jones
	Thomas J. McNamara
	Ralph N. Millen
	Joseph B. Perley
Lincoln . . . . .	James A. Legassie
Lisbon . . . . .	William E. Bishop
	Dwight H. Parker
Littleton . . . . .	William A. Astle
	Herbert S. Lewis
	Charles E. Magoon
	George R. Simpson
Lyman . . . . .	Anthony Burgault
Lyme . . . . .	Davis A. Grant
Orford . . . . .	Edgar C. Lufkin
Plymouth . . . . .	Richard J. McLean
	Harry A. Merrill
Rumney . . . . .	William G. Cook
Warren . . . . .	Chester B. Averill
Woodstock . . . . .	Harry D. Sawyer

## COOS COUNTY

## Berlin—

Ward 1	. . . .	John F. Bagley *
		Margaret H. Barden
		Joseph F. Bell
		Elisabeth H. Mason
		Henry A. Smith
Ward 2	. . . .	Harry L. Henderson
		Norma T. Ordway
		Albert G. Palmer
		Harold C. Sullivan
Ward 3	. . . .	Hilda C. F. Brungot
		Otto J. A. Dahl
		Albert E. Martel
Ward 4	. . . .	Esther C. Bixby
		Alphonsine M. Dugas
		Patrick L. Dutil
		Letitia Jane Myler
Colebrook	. . . .	Darwin Lombard
		Louis Ramsay
Columbia	. . . .	Lynn M. Gray
Dalton	. . . .	Ernest E. Whitcomb
Dummer	. . . .	Bessie G. Stiles
Gorham	. . . .	Charles A. Chandler
		Merton M. Willis
Jefferson	. . . .	George W. Towle
Lancaster	. . . .	Lula J. A. Morris
		William H. Thompson
Milan	. . . .	Frank M. Hancock
Northumberland	. . . .	George William Cole
		Clarence A. Marshall
Pittsburg	. . . .	Willie N. Judd *
Stark	. . . .	George J. Phelan
Stewartstown	. . . .	Albert L. Fuller
Stratford	. . . .	Edward B. Fuller
Whitefield	. . . .	George W. Whitcher

Those marked with an asterisk (\*) were not present but appeared and qualified later as will be found in the daily proceedings of the House.

Prayer was offered by the Chaplain.

The Clerk then called the House to order and stated that the first business before the House was the election of a temporary presiding officer.

Mr. Leahy of Claremont placed in nomination Mr. Henderson of Durham and moved his election.

On a *viva voce* vote Mr. Henderson of Durham was declared elected temporary presiding officer and was escorted to the chair by Mr. Leahy of Claremont.

On motion of Mr. Wadleigh of Milford the House proceeded to the election of a Speaker by ballot.

On motion of Mr. Shaw of Chichester,

*Resolved*, That in balloting for Speaker the voting be by counties. Each member to pass before the Clerk's desk, give his name and deposit his ballot, his name to be checked by the Clerk.

Mr. Callahan of Keene, having qualified before His Excellency the Governor, appeared and took his seat as a member of the House.

The presiding officer appointed as a committee to receive, assort and count the ballots Messrs. Currier of Derry, Vance of Northfield, Keefe of Dover and Osborne of Sunapee.

The committee reported the following result of the ballot:

Whole number of votes cast.....	416
Necessary to a choice.....	209
Fred A. Jones had.....	4
Allan M. Wilson had.....	202
Amos N. Blandin had.....	210

On motion of Mr. Wilson of Manchester the election was made unanimous and Amos N. Blandin was declared elected Speaker and was escorted to the chair by Messrs. Wilson of Manchester and Keefe of Dover.

The Speaker addressed the House briefly.

Mr. Monroe of Andover, having qualified before His Excellency the Governor, appeared and took his seat as a member of the House.

The House then proceeded to the election of a Clerk by ballot with the following result:



Whole number of votes cast.....	406
Necessary to a choice.....	204
Robert W. Pingree had.....	182
Harrie M. Young had.....	224

On motion of Mr. Keefe of Dover the election was made unanimous.

On motion of Mr. Cilley of Exeter at 3:10 o'clock the House took a recess for thirty minutes.

(After recess)

#### RESOLUTION

On motion of Mr. Alfred L. Guay of Laconia,

*Resolved*, That the House of Representatives will be ready to meet the Honorable Senate at 4 o'clock to-day for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make.

#### JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention, on motion of Senator Marston of District No. 14,

*Resolved*, That a committee of five be appointed by the Chair to wait upon His Excellency John G. Winant, Governor, and inform him that a quorum of each branch of the legislature has assembled and is ready to receive any communication he may be pleased to make.

The chairman named as the committee Senators Manson of District No. 5 and Condon of District No. 8, Mr. Wadleigh of Milford, Miss Greenfield of Rochester and Mr. Neal of Meredith.

#### REPORT OF COMMITTEE

Senator Manson of District No. 5 for the committee reported that the committee appointed to wait upon His Excellency John G. Winant, Governor, had attended to that duty and that His Excellency, the Governor, had a communication which he desired to make.

His Excellency, the Governor, then appeared and delivered the following message.

## GOVERNOR'S MESSAGE

It is the duty of those who serve in Executive authority to administer the State Government over a fixed period of time and then to transmit it unimpaired to duly elected successors. Custom has sanctioned a statement by the retiring administration as a part of the formal exercises of transfer. Therefore, in bidding you welcome to these legislative halls I also appear before you to deliver a brief farewell address.

It seems unnecessary on this occasion to burden you with a cataloguing of acts passed and actions taken that are already a matter of record. If there is need, these may be gathered in a single document for your convenience and presented in printed form on a later date.

Much that has been done beyond the continuance and improvement of established institutional and departmental services has had to do with the unusual needs of individuals and communities because of the depression. A large part of the important legislation initiated in the last session of the Legislature was temporary in character and enacted to meet an emergency. Time and experience are necessary to perfect legislation and to insure orderly procedure and effective administration. It has been my hope that you would improve and not destroy what has gone before. The cessation of the State Relief Act in mid-winter weather is, in my judgment, a tragic mistake. This Act was passed to establish a centralized agency to coordinate Federal, State and local agencies in handling and accounting for money collected and expended for relief. Its object was to protect people from hunger and cold and at the same time limit the tax burden that normally would have been charged against the land. While it remained law those two objectives were accomplished. The most serious defect of the Act, which has gone almost unnoticed, was to attempt to fix in the law the total spendings of the State and its subdivisions. You cannot, with any assurance of exactitude, forecast needs in times like these. It is due to increased grants by the Federal Emergency Relief authorities that we have been able to meet nec-

essary demands with the hope of balancing accounts when all bills are in and due money paid.

The Emergency Financial Act has been helpful where local credit was wanting.

We have been compelled to recognize that the forces of the economic emergency were so sweeping that it was necessary to call upon the authority and power of the National Government to cope with a situation that involved the welfare of all the people of the United States. In order that Government might function effectively the coordination of all arms of Government was necessary. In New Hampshire we have done everything in our power to cooperate with the Federal Government and the State has used its taxing power and its credit to aid and support local government. We have also come to realize the inadequacy of much of our present governmental machinery to meet the needs of the times, and I believe that we should make a conscious and planned effort to so integrate and coordinate the functions of government as to place essential services of government within effective fields of authority.

Social trends and Federal action have required emergency appropriations by the Governor and Council in the field of industrial and labor regulation. The organization of the Labor Department is totally inadequate to meet present day needs. It is essential to both industry and labor that constructive measures be taken in this work field, which returns us our largest share of income and on which a majority of our working population are dependent for their living.

In marking out the advances we have made in meeting the depression we are conscious as a people that we are moving forward along three major sectors: Relief, recovery and reform are essential parts of permanent progress. Relief was necessary to supply food, clothing and shelter to the destitute. Recovery because self-support and self-government are synonymous, and reform in order that we may look forward to greater security and a more abundant life. Some questioned the expediency of moving in three directions; but to the practically-minded a three-legged stool would stand,

and to the spiritually-minded the theology of the Trinity was not difficult to a man whose heart was right. Experience had taught us that common sense and plain, good intentions were more than half the fight.

Yet, in approaching those broad economic problems that affect the lives of all our people, we want to be aware when we are experimenting and mentally alert to the hazards involved. We want to distinguish between what things are temporary and what things are of permanent value. It is not only that we must deal with the emergency which involves administrative difficulties, but that we must work for permanent stability while using temporary expedients to treat with immediate emergency needs.

No man can live by himself alone; nor can any group in the complex social order of to-day safely attempt to support itself at the cost and to the detriment of other groups. Contagion in one section of a community endangers the health of the entire community. Economic misery in one group undermines economic stability in other groups. The experience of the last years has taught us that awareness of inter-relationship of individuals and social groups is a requisite to successful living in a modern world.

I wish you and the incoming administration every success in meeting the problems that wait your attention here. No government could ask for a finer constituency. The patience, the courage, and the character of the citizenry of New Hampshire in these troubled times stands like a bright light against a darkened sky. May I remind you in representing them that the large majority never personally appear to plead their cause, and that too often the sound of tinkling cymbals or the harsh cries of discord are mistaken for the voice of the people. We have tried always to remember that a people's government rests on an abiding faith in the goodness of mankind, and it has been our desire to represent the deep, silent convictions which have protected the home life of New Hampshire since the days of our fathers.

No one ever accomplishes much alone. If we have been able to have been of any service, it has been because many



people have worked and sacrificed for the common good. May I express my personal appreciation and the gratitude of the State to my co-workers and those other men and women in office and out of office who have dedicated their time and themselves to public service.

You are stepping to-day into the public workshop of your State. Its compensations are great, simply because giving lifts life; but its disappointments are no less real. In bidding you good-bye and God speed may I pass on to you a bit of courage spoken to a group of younger men by Theodore Roosevelt more than 25 years ago. It helped me; I hoped it might help you.

"It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

In laying down rules and commandments for governing society, remember the three great virtues, because they are built into every fibre of American life;—Faith, Hope, and Charity. And the greatest of these is Charity.

#### RESOLUTIONS

On motion of Senator Bouthillier of District No. 13,

*Resolved*, That the Senate and House of Representatives in convention assembled this second day of January, 1935, has listened with gratification to the message of Governor John G. Winant, and hereby express to him the high esteem in which we hold him and his conduct of his office.

On motion of Mr. Lee of Concord the Clerk was instructed to procure the usual number of copies of the Governor's message.



On motion of Senator Doe, of District No. 20, the convention rose.

## HOUSE

On motion of Mr. Keefe of Dover it was voted that the remaining ballots for candidates be taken by divisions.

The ballot for Assistant Clerk resulted as follows:

Total number of votes cast.....	393
Necessary to a choice.....	197
Paul Daniels had.....	165
Cyril J. Fretwell had.....	228

On motion of Mr. Lee of Concord the election was made unanimous.

The ballot for Sergeant-at-Arms resulted as follows:

Total number of votes cast.....	385
Necessary to a choice.....	193
James W. Pridham had.....	176
Guy S. Neal had.....	209

and Guy S. Neal was declared Sergeant-at-Arms.

Harrie M. Young, Cyril J. Fretwell and Guy S. Neal then appeared and were duly qualified by taking the oath as Clerk, Assistant Clerk and Sergeant-at-Arms, respectively.

HARRIE M. YOUNG,

*Clerk for 1933-34.*

Mr. Keefe of Dover placed the following in nomination for Doorkeeper, Michael S. Donnelly of Manchester, George Shea of Nashua, Oscar Ronn of Concord and Lewis Gauthier of Manchester.

On motion of Mr. Keefe of Dover,

*Resolved*, That Arthur A. Tilton, Harry S. Yeaton, John T. Metcalf and Lenne C. Twombly be elected Doorkeepers by acclamation.

On a *viva voce* vote the resolution was adopted and Arthur A. Tilton, Harry S. Yeaton, John T. Metcalf and Lenne C. Twombly were declared elected Doorkeepers for the ensuing two years.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolutions:

*Resolved*, That the House of Representatives be informed that the Senate having assembled has organized by the choice of Charles M. Dale as President, Benjamin F. Greer as Clerk, Frank M. Ayer as Assistant Clerk, Raymond B. Lakeman as Sergeant-at-Arms, William W. Allen as Doorkeeper, and Benjamin H. Bragg as Messenger, and is now ready to proceed with the business of the session.

The message further announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for Governor and Councilors agreeably to the provisions in the Constitution at 4:30 o'clock this afternoon, and for the election of a Secretary of State, State Treasurer and Commissary General.

## JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention

On motion of Senator Carter, of District No. 12,

*Resolved*, That the Honorable Secretary of State be requested to lay before the convention the return of the votes for Governor and Councilors cast in the last election.

The Honorable Secretary of State then appeared and laid before the convention the returns of the votes for Governor and Councilors cast in the last election.

On motion of Senator Doe, of District No. 20,

*Resolved*, That the votes for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House, to examine, compare and count the same, and report thereon.

The chairman named as such committee Senator Doe of

District No. 20, and Messrs. Molloy of Nashua and Kearns of Manchester.

On motion of Mr. Emery of Manchester it was voted to proceed with the election of Secretary of State, State Treasurer and Commissary General by ballot.

Senator Manson of District No. 5 was appointed an additional teller.

The ballot for Secretary of State resulted as follows:

Total number of ballots cast.....	386
Necessary to a choice.....	194
William P. Fahey had.....	129
Enoch D. Fuller had.....	257

On motion of Mr. Letendre of Manchester the election was made unanimous.

The ballots for State Treasurer resulted as follows:

Total number of ballots cast.....	354
Necessary to a choice.....	178
Carl Savage had.....	120
Charles T. Patten had.....	234

On motion of Mr. Molloy of Nashua the election was made unanimous.

On motion of Senator Doe, of District No. 20, the Clerk was instructed to cast the ballot of the convention for Charles W. Howard for Commissary General.

The ballot was so cast and Charles W. Howard was declared elected Commissary General.

#### REPORT OF COMMITTEE

Senator Doe, of District No. 20, for the joint committee to whom was referred the returns of the votes cast for Governor and Councilors at the last biennial election reported that they had examined, compared and counted the same with the following result, the report to be accepted without reading and to be printed in the Journal.

## FOR GOVERNOR

	<i>Bridges, rep.</i>	<i>Sullivan, dem.</i>	<i>Chase, com.</i>	<i>Bourdon, soc.</i>
Rockingham	13,188	9,173	18	30
Strafford	8,319	9,252	9	11
Belknap	4,625	4,873	1	5
Carroll	4,676	2,611	..	1
Merrimack	12,580	10,991	40	25
Hillsborough	21,335	29,093	98	60
Cheshire	5,863	4,334	10	18
Sullivan	4,404	3,907	26	35
Grafton	8,793	6,348	11	12
Coos	5,698	6,437	31	81
Totals	89,481	87,019	244	278

H. Styles Bridges having a plurality of all the votes was elected Governor.

## FOR COUNCILORS

*First District*

L. Lynn Cutler, Berlin, r. ....	29,189
Joseph Alfred Seymour, Carroll, d. ....	13,400
Plurality for Cutler .....	15,789

*Second District*

Burt R. Cooper, Rochester, r. ....	18,066
Sumner W. Watson, Rochester, d. ....	16,997
Plurality for Cooper .....	1,069

*Third District*

Alphonse Roy, Manchester, d. ....	19,839
Emile J. Soucy, Manchester, r. ....	12,084
Plurality for Roy .....	7,755

*Fourth District*

Thomas J. Leonard, Nashua, d. ....	15,771
Nathan C. Sibley, Keene, r. ....	15,090
Plurality for Leonard .....	681

*Fifth District*

James C. Farmer, Newbury, r. ....	19,792
Edward J. Gallagher, Laconia, d. ....	16,992
George C. Brooks, Franklin, soc. ....	33

---

Plurality for Farmer ..... 2,767

On motion of Senator Wiley, of District No. 6,

*Resolved*, That a committee of five be appointed by the Chair to wait upon the Honorable H. Styles Bridges and inform him officially of his election as Governor of the State of New Hampshire and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The Chairman named as such committee Senators Wiley of District No. 6, and McLeod of District No. 15, Messrs. Woods of Mont Vernon, Callahan of Keene and Mrs. Barden of Berlin.

On motion of Senator Butler, of District No. 9,

*Resolved*, That a committee of three be appointed by the Chair to wait upon L. Lynn Cutler, Burt R. Cooper, Alphonse Roy, Thomas J. Leonard and James C. Farmer and inform them officially of their election to the Honorable Council.

The Chairman named as such committee Senator Butler of District No. 9 and Messrs. Ramsey of Colebrook, Lombard of Colebrook and Mrs. Mason of Berlin.

On motion of Senator Manson, of District No. 5, the convention rose.

## HOUSE

## RESOLUTIONS

On motion of Mr. Hart of Wolfeboro.

*Resolved*, That the Speaker of the House is hereby authorized to appoint the following employees of the House:

One custodian of mail and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages of the House and one page to the Speaker.

On motion of Mr. Lee of Concord,

*Resolved*, That unless otherwise ordered the hours for as-



sembling of the House be at 11 o'clock in the forenoon and 2 o'clock in the afternoon until January 16.

On motion of Mr. Wilson of Manchester,

*Resolved*, That the rules of the last House be adopted as those of the present session unless otherwise ordered by the House.

On motion of Mr. Leahy of Claremont,

*Resolved*, That the Clerk with the approval of the Committee on Appropriations, be authorized to secure the services of one stenographer for the use of the Speaker and Clerks and two for the use of the members.

On motion of Mr. Callahan of Keene,

*Resolved*, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the legislature and report such selection to the House for consideration.

On motion of Mr. Simpson of Bartlett at 6:40 o'clock the House adjourned.

---

## THURSDAY, JANUARY 3, 1935.

The House met at 11 o'clock.

Prayer was offered by the Rev. Mr. Weston of Milford.

Mr. Little of Barnstead, having qualified before His Excellency the Governor, appeared and took his seat as a member of the House.

### LEAVES OF ABSENCE

Messrs. Sweeney of Manchester, Ward 11, and Charbonneau of Nashua were granted leaves of absence until further notice on account of illness.

### BILLS INTRODUCED

By Mr. Peloquin of Manchester, House Bill No. 1, An act relating to expiration of motor vehicle registrations, municipal permits and licenses for motor vehicle operators.

Read a first and second time and referred to the Committee on Judiciary.

By Mr. Freeman of Concord, House Bill No. 2, An act relating to the charter of the City of Concord.

Read a first and second time.

On motion of Mr. Freeman of Concord the rules were suspended and the printing of the bill dispensed with.

On motion of the same member the rules were further suspended and the bill referred to a special committee consisting of the delegation from the City of Concord.

#### RESOLUTIONS

On motion of Mr. Osborne of Sunapee:

*Resolved*, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the days when the House is actively in session, one daily newspaper, published in the state, each member and officer to choose the paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

On motion of Mr. Shaw of Chichester:

*Resolved*, That the Clerk of the House be instructed to procure as soon as possible 2,000 copies of the legislative manual, in substantially the same form as 1933, for the use of the House and Senate and Executive Department.

On motion of Mr. Wilson of Manchester:

*Resolved*, That the committee on rules with such members as the Senate may join, be a committee on joint rules of the House of Representatives and the Senate.

On motion of Mr. Hart of Wolfeboro:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of two on the part of the House and one on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate and to report said assignments to the House and Senate as early as possible.

On motion of Mr. Alfred L. Guay of Laconia:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in

joint convention at 12 o'clock for the purpose of receiving His Excellency the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock, and when the House adjourns tomorrow morning it adjourn to meet on Monday evening at 7:30 o'clock.

#### A MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

*Resolved*, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message, at 12 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the transaction of any other business that may properly come before such convention.

#### COMMITTEE APPOINTED

The Speaker appointed as members of the committee to select a Chaplain, Messrs. Barrett of Portsmouth, Henderson of Durham, Carroll of Laconia, Hart of Wolfeboro, Coakley of Concord, Cummings of Peterborough, Bullock of Richmond, Cummings of Newport, Burgault of Lyman, and Mrs. Mason of Berlin.

#### RESOLUTIONS

On motion of Mr. Henderson of Durham:

*Resolved*, That the drawing of seats be made a special order for this afternoon at 3 o'clock.

At 11:32 o'clock the Speaker declared the House to be in recess until 11:50 o'clock.

(After recess)

#### JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention

On motion of Senator Marston, District No. 14:

*Resolved*, That the Chair appoint a committee of three consisting of one Senator and two Representatives, to escort the Governor-elect to the House of Representatives.

The Chairman named as members of such committee Senator Marston of District No. 14, Mr. Sanderson of Pittsfield and Mrs. Stiles of Dummer.

#### COMMITTEE REPORTS

Senator Wiley, of District No. 6, for the committee appointed to wait upon Honorable H. Styles Bridges and inform him officially of his election as Governor of the State of New Hampshire reported that it had attended to its duty; that the Governor-elect had accepted said office, and would meet the Senate and House of Representatives in convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

Senator Butler, of District No. 9, for the committee appointed to wait upon L. Lynn Cutler, Burt R. Cooper, Alphonse Roy, Thomas J. Leonard and James C. Farmer and inform them officially of their election to the Honorable Council, reported that it had attended to its duties and that the gentlemen named had accepted the office.

The Governor-elect, attended by the Honorable Council and Council-elect then came in, and the Honorable H. Styles Bridges, Governor-elect, then took and subscribed to the oath of office and the oath of allegiance before the President of the Senate and in the presence of both branches of the legislature, whereupon the Honorable Charles M. Dale, President of the Senate, made proclamation as follows:

H. Styles Bridges, having been duly elected Governor of New Hampshire, accepted the office and taken the oaths prescribed by the Constitution, I do hereby declare and proclaim His Excellency H. Styles Bridges Governor of the State of New Hampshire, to hold office during the period prescribed by the Constitution and Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

His Excellency then read the following message:

*Honorable Senators and Representatives:*

While we have many problems to meet, diverse and complex in character, New Hampshire is in better condition to carry forward than many of our sister States. Gathered here today we can rejoice that we still enjoy our traditional form of government and are a solvent people.

Let us express our appreciation of the untiring efforts of the preceding administration under the leadership of the retiring chief executive, John G. Winant. Every emergency has been courageously and humanely met.

In rising from the depression it has been necessary to seek solutions from an emergency point of view. This has led to much confusion. The State government, which already lacked coördination of many of its efforts because of a steady expansion of activities and services down through the years, has created even more agencies in the effort to speedily serve and save people.

Some of these emergency agencies must be continued, at least, for a time. Others may be dispensed with. Some additional functions will have to be instituted if we are to co-ordinate our own program with that of the National Government, and continue effectively to meet existing and new problems.

The financial condition of the State ranks high in the estimation of all of the money markets in the country. We have been able to borrow at a rate equal to and in some instances lower than that secured by the Federal Government itself. This speaks highly of our official financial acumen, but it is due fundamentally to the honest character of a people whose obligations have never been disregarded and whose financial burdens have been met with fidelity, even at a sacrifice, for a century and a half.

COSTS OF GOVERNMENT

However, I must call your attention to the fact that the cost of government in New Hampshire has been steadily mounting. The towns, cities, counties, and the State in the



last fiscal year expended a sum exceeding \$38,000,000, a heavy burden for a State no larger than ours and having an almost stationary population and a slowly declining taxable inventory.

Of this amount, \$17,365,182.83 was expended by the cities and towns; \$2,682,740.34 was expended by the counties, or considerably over one half of the expenditures were made directly by towns, cities, and counties. So it is obvious that no matter how much economy is practised in the conduct of our State Government, without the thorough cooperation of local units of government, no substantial savings can be made.

This is very forcibly brought to our attention in considering the burden which the local taxpayer pays. Direct taxes levied for the year 1934 locally in the communities, towns and cities, amounted to \$16,646,264.21. Of this amount only \$1,300,000 were State taxes. In other words, of the taxes paid by the taxpayer locally on real and personal property, only approximately eight per cent of that tax is direct State tax. This clearly indicates that insofar as the individual taxpayer is concerned with the State tax amounting for the year 1934 to only eight per cent of the total amount paid, that the only appreciable relief which can come to the taxpayer, must come through local action in our towns, cities and counties.

Expenditures for roads, education, relief, and institutions for the unfortunate consume approximately 78.87 per cent of the total State expenditures. It is apparent, if we are to cut our expenses very materially in the State, that reductions must come in some of these departments having the major expenditures. However, these are just the departments where many citizens of our States would object to paring.

The best definition of economy I know is getting value for each dollar expended. We can accomplish our objective by careful supervision of governmental expenditures, by preventing unwarranted increases in appropriations, and by actual reduction of appropriations and expenditures.

In making appropriations I call to your attention only two

reasons for an increase in appropriations for expenditures for any department or institution. They are: first, emergency conditions; second, expenditures which will be dividend paying investments. This Legislature will be called upon to establish new departments and to continue departments of a temporary nature which have been created as a result of an emergency. I hope in every case that these departments, if continued, will be coordinated with existing departments and that existing departments will be reorganized to include these new functions. This should be done in the interest of both economy and efficiency. I shall later make specific recommendations as to how I think this may be done.

I recommend to you now, and I shall recommend to you from time to time in detail as the session advances, a thorough study of all public expenditures and a most vigorous application of economy. I am one of those who do not believe we can spend our way out of the depression. I may be out of harmony with the times but at least that is my best judgment. Not only would I have us do our part in setting an example in conducting our State affairs, but if there is any equitable method within the scope of our functions by which local expenditures can be controlled you will find me in favor of it. I recommend that this body, in connection with the study of control of public expenditures, see if some means may be defined whereby the control of local expenditures may be effected.

I have made my views plain and I hope that the Legislature will see fit to cooperate with the recommendations made relative to economy, in this effort we are making to control expenditures within reasonable limits.

#### PUBLIC RELIEF

The one problem demanding immediate attention is that of relief for people in need.

The Legislature of 1933 faced a crisis. It enacted an emergency law which provided for State assistance and made possible continued Federal assistance in relief. That law expired on December 31.

We know now that the problem of relief is one which will be with us for a long time though still largely of an emergency character. I believe the time has come when we must, as citizens of New Hampshire, face this problem fairly and squarely.

Few people realize that almost one in every eleven of the citizens of our State is dependent upon relief for their livelihood today. The total number of people on relief is nearly 40,000.

I do not need to tell you that the expiration of the emergency law and the ending of the system whereby there was a regular contribution of State and Federal funds to carry relief to those in need has created a most critical situation.

We must meet it and we must meet it now. In the last few weeks I have conferred with many groups of people representing varied interests in an effort to get their ideas and an understanding of their problems. I have talked with countless individuals. I have also conferred in Washington and in Concord with representatives of the Federal Emergency Relief Administration.

It has been tentatively arranged that the Federal Emergency Relief Administration will continue those relief projects which have been and will now be supported one hundred per cent by the Federal Government. All of these take a certain portion of the burden wholly off the State and its political subdivisions. They include care of transients, the distribution of surplus commodities, rural rehabilitation, the Federal program in education and Federal assistance to students in need.

Tentative arrangements have also been made for continuance of a work program both to meet immediate needs and partly in anticipation of a new Federal policy. On joint application of the Governor and retiring Governor requests for January grants totaling \$325,710 have been made to the Federal Emergency Relief Administration. These funds will provide for a works relief program for January. It is possible that a program of work relief will be inaugurated which will gradually permit the Federal Government to withdraw to some extent from the field of direct home relief

and the care of chronic cases and return that duty to local communities, counties and States.

For the moment our towns, cities, and counties are carrying the entire direct relief burden. For the moment also no Federal funds are available to supplement the cost of direct relief. I understand this to be due to the expiration of our law.

I have expressed certain definite principles which I believe should be followed in drafting new legislation. One is decentralization of the administration of relief, which should be administered by local officials within the towns, cities, and counties. The problem is how best to carry this purpose into execution.

I have further advocated that in case the State of New Hampshire should contribute funds for relief or should be responsible for Federal funds we must have State supervision. Supervision should be of two types:

1. Establishment of a system of accounting together with adequate auditing facilities for periodical check-ups.

2. Supervision by trained workers who are constantly checking to see that the funds are properly expended, that the poor and unfortunate of New Hampshire are being adequately cared for, and that everything possible is being done toward rehabilitation of families.

I believe that with more responsibility the local units should contribute a larger share of the cost. In many communities the present charge-back is less than the normal load.

I believe that legislation concerning social welfare should be simple, clear, and brief. The organization's structure should be outlined broadly in harmony with the general objective of decentralized performance and centralized supervision. Whatever standards are established should be made flexible by the law. The director and staff of the State agency should be selected on the basis of qualification for the job. State supervisory services should be educational as well as inspectional. Uniform periodical reports should be required.

We have more than an emergency problem to meet. It is



desirable that our public assistance laws be revised toward the long range view. The present complex settlement law has brought untold confusion ever since relief became an outstanding public problem. A simple law on settlement would result in a great saving of time, expense, and service to the person in need.

I am informed that the appropriation for Mothers' Aid is exhausted and the supplemental funds supplied by the Relief also ceased on January 1, 1935. This will affect about 150 mothers and 400 children. To meet immediate needs I recommend an emergency appropriation which will prevent throwing these mothers on local relief. But the whole Mothers' Aid law should be strengthened.

New Hampshire is entitled to Federal aid and should meet every reasonable requirement to secure it. I am informed of certain minimum requirements which we must meet to qualify for Federal assistance. However, it is known that there are changes contemplated in the Federal Relief program and as soon as these are known together with the rules and regulations which will apply in order that a State may qualify for Federal aid I shall be prepared to make definite recommendations of the factors which must be considered in order to secure Federal aid. The people of New Hampshire may be assured that as Governor I shall do everything in my power to see that the same spirit of cooperation between the Federal Emergency Relief Administration and the State of New Hampshire which has existed in the past is continued in the future.

At the moment the amount New Hampshire can expect as a contribution from Federal funds is indefinite. Amounts the State may contribute must be decided by the Legislature. Congress, like the General Court, is faced with the problem of enacting a revised relief law. The present act expires in May. If, as now seems probable, a large National works program is launched it may become the major Federal contribution toward relief costs. For these reasons substantial State, county and local appropriations are primary requisites to Federal assistance.



It is desired that all State activities in the fields of public welfare be coordinated in a single department. To that end and in the interest of efficiency and economy, rather than creating a new department for the specific purpose of handling relief, I recommend the reorganization of our present Welfare Department, combining in this Department under one administrative head the function of caring for our relief problem on the one hand and our welfare problem on the other.

If Federal funds are to be made available for old age pensions, which is a decided possibility, it is important that New Hampshire be prepared to handle them. This could be done by a broad grant of authority to the reorganized public welfare department. But present provisions for old age assistance, including the maximum grant stipulation and residence provisions, might need to be revised. I have been advised that Federal legislation would supersede our constitutional limitations in this field.

It is my suggestion that, in line with the policy of decentralization, expenditures be made first by the local units and that the State reimburse these local units to the extent and proportion which State and Federal funds make possible, provided that the local communities meet the standards which are required to qualify them for this assistance.

Under this plan, if a community's problem in relief matters is such that it does not desire assistance from the State or the Federal Government, it could administer its own relief wholly with its own funds. On the other hand, in those communities where relief is a problem of such magnitude as to make State and Federal assistance necessary, they could qualify for aid. In a sense this is local option.

It will be the duty of the Legislature to provide the revenue necessary to meet the State's contribution to relief.

According to the best information I have been able to secure we are now spending for direct relief alone in this State at the rate of nearly \$4,000,000 annually. This means that even though we continue to have available the strictly Federal financed projects which we have been enjoying in the

recent past and continue to secure a grant from the Federal Government for direct relief that the cities, towns and counties of New Hampshire, as well as the State must contribute substantially to the maintenance of this service.

As I have discussed financing with individuals and groups representing all agencies in the State I have gathered the impression that every possible means of financing is terrifying.

But it is obvious that there are only a few possibilities. If no special revenue is provided, it means that the direct property tax must be substantially increased in the local communities and, if the State contributed, that the State's own direct tax must be increased. You know what that means.

For the moment it might seem the easiest way to continue to borrow by further bonding of the State. That method seems to be very popular today but personally I should regret seeing the bonded indebtedness of New Hampshire increased to finance relief. One must consider whether the State will ever be better able to pay than it is today. If you decide that we should, by current revenue payments, meet the relief cost there are several possibilities of new revenue. One is a head tax. Another is an income tax. A third is a sales tax or a luxury sales tax. In the latter connection, I have asked the State Tax Commission to gather all possible data on the general types of sales taxes. This information will be available for the Legislature. It might be possible, if the State's proportion of relief is materially reduced, for funds to be secured over the next biennial period by borrowing on a temporary basis. These temporary obligations might be retired by making use of the excess sinking funds which are now accumulating.

But the Legislature must provide the revenue or financing to carry the relief load, whatever specific plan you may choose.

I ask the two branches of the Legislature to immediately appoint a joint legislative committee to draft a relief plan. This committee should be representative of both political parties. Because I believe a small committee can work more rapidly, I suggest its membership be five from the House and

three from the Senate. I have made arrangements whereby the Attorney-General's office will be at the disposal of this committee for such drafting services and legal advice as may be required. I have asked the New Hampshire Foundation, a private research agency, which has made, with the aid of specialists, a study of relief problems in New Hampshire, to make available to the Committee such data as may be useful to it and I am assured that the Foundation is glad to contribute this in a spirit of helpfulness to the State. I have asked the heads of the former emergency relief administration to make available all information and material which the committee may desire. In addition, in the course of my own study, I have gathered certain material which is available to the committee.

I believe the committee, with such information and assistance as has been arranged, can prepare a bill without undue delay.

In addition to our efforts to serve people who have been stricken by the depression, New Hampshire has maintained institutions for the benefit of those who could not be cared for in their homes. I have been impressed by the spirit of those who are directing these institutions and by the efficiency which marks the administration of these institutions.

#### LABOR LEGISLATION

Over a period of years New Hampshire has developed through legislation a friendly policy toward the man and woman who works for a livelihood. New Hampshire has taken the leadership in the Nation in the enactment of such legislation as workman's compensation, factory inspection to protect the health of the worker, regulation of night work for women and minors in industry, elimination of sweat shop conditions by the enactment of a minimum wage law, and ratification of the child labor amendment to the Federal Constitution.

In cooperation with the Federal Government we have set up free employment agencies under the Wagner-Peyser Act. By the passage of the minimum wage law in New

Hampshire in the last Legislature we took an initial step in the establishment of minimum wages in industry. During the interim since the last Legislature a commission representing the State has participated in the drafting of an Interstate Compact whereby minimum wage standards may be maintained.

I recommend that the Legislature take early action in the ratification of this compact. I believe that New Hampshire should continue to participate in the negotiations of other compacts of this nature as a method of preserving to the States their right to individual action while eliminating many evils which have beset some industries in the past.

We have all come here pledged to the principle of unemployment insurance. A conscientious commission has prepared a report which has been commended throughout the country for its thoroughness of study. Unemployment insurance is not a cure-all but it is in my opinion a great step forward toward job security. It may be that New Hampshire cannot do it alone. I am informed that Federal legislation is to be introduced early in this session of Congress which may have an important bearing on what we do in New Hampshire. I recommend the enactment of a reasonable and fair unemployment insurance law.

I believe this Legislature should coordinate all our State activities relative to labor in one department. This naturally should be the Labor Department. To do this the department must be reorganized and I recommend action to that end.

#### AGRICULTURE

New Hampshire agriculture has had many difficult problems to face during the past few years and it is still faced with many trying situations which the State through leadership may be helpful in solving. The dairy industry is probably affected as acutely as any other.

I recommend the enactment by the Legislature of a milk marketing law which will give protection to both the producer and the consumer. I further recommend the study of



a plan by which New Hampshire might join with the other New England States for the development of joint legislation, somewhat on the Interstate Compact plan, which might help in the solution of this problem in a New England wide manner.

Our various agricultural agencies must be supported and their work continued. The Department of Agriculture, and the Agricultural Extension Service of the University of New Hampshire are doing a splendid work. They must have proper public background.

#### HIGHWAYS

We are committed to a permanent policy of State maintenance of trunk line highways and State aid roads. In the last two years we have coordinated efforts to provide employment for a large number of our citizens without work and for the improvement of our rural roads. This policy should be continued insofar as the funds are available both to improve our rural highway system and to continue the benefits which have accrued to our workers.

As a result of these policies which have added greatly to the State's highway burden, and because of the fact that there will be no further Federal grants such as have been available in the last two years, the Highway Department will begin its fiscal year with less funds available than at any time in recent years.

For that reason our highway program for the next two years must be conservative and made with care. Such a program will be seriously interrupted and interfered with if this Legislature authorizes any great amount of special appropriations for highways, or assumes any obligations further than those already authorized. The continued construction of these new highways is adding a burden to the maintenance fund which if not curbed, threatens to absorb all of our highway income in the near future.

#### EDUCATION

New Hampshire has carried forward an enlightened program of public education. It has been a source of pride on



the part of our people that, in spite of the extent and character of emergency problems, New Hampshire has been able to continue unimpaired its public school system, the University of New Hampshire and the State normal schools. The loyalty of the teaching staffs, who have willingly made personal sacrifices for the sake of the program, has been an inspiration. We should see to it that adequate provision is made for education.

#### STATE POLICE

There is an increasing demand for a State constabulary or State police. The Commission which has been making a study of this problem has recently made a report and recommended a general coordination of law enforcement agencies, together with a State constabulary or police. Any plan whereby existing agencies may be utilized for the creation of a State police force and where there is no increase to the taxpayer is worthy of consideration.

#### JUVENILE DELINQUENCY

At the present time New Hampshire has a very inadequate system of handling juvenile delinquency. I recommend the enactment of legislation which will establish in this State a system of child probation and juvenile courts. We should have some effective way of rebuilding the delinquent youths of today into useful citizens of tomorrow.

#### PUBLIC UTILITY REGULATION

As a result of current policies and activities of the National Administration, the field of public utility regulation should receive thoughtful consideration.

New Federal regulatory bodies have been established, new activities have been undertaken by existing Federal agencies, and the so-called "yardstick" projects, involving the expenditure of hundreds of millions of dollars of Federal funds, have been undertaken. These acts on the part of the Federal Government add to the duties and responsibilities of state regulatory bodies.

The functions of our New Hampshire Public Service Commission are already more varied than are those of probably any other department of our State government, and affect, directly or indirectly, the lives and pocketbooks of every citizen of the State. Probably the most important responsibility and function of the Commission is the determination of what constitutes service adequate to the public good, at a price which is fair to the customer and which at the same time allows a reasonable return to the company. Every family in our State is directly or indirectly a customer of several public utilities, while a large majority of our citizens are public utility security holders, directly, or indirectly through their savings bank accounts, insurance policies, or the like.

In New Hampshire, in spite of vastly changed economic conditions which are constantly increasing the costs of service, very substantial reductions of electric and gas rates, effecting annual savings to the citizens of our State in excess of \$620,000 have been secured in the last six years. At the same time, however, most of our utility companies are in a sound position and have been able to show a fair return upon their investment.

The Public Service Commission continues its analysis of rates for electricity and for other public utility services, and there is reason to suppose that the completion of studies now under way means still further substantial reductions to customers in various sections of the State. New Hampshire, a State which is largely rural in character, has a larger percentage of its farms electrified than has any other State in the Union.

These are reasons why I believe that the public regulation of privately owned utilities has been, and is, successful in New Hampshire; I see no reason why it should not be as effective in the other States of this country.

There are, however, various ways in which the regulatory activities of our State may be improved, a number of which have been specifically pointed out by the Public Service Commission in its recently published Biennial Report to the

Governor and Legislature, which I commend to the attention of all who are interested in this subject. The Commission has asked for, and in my judgment should be granted, the right—which is indispensable to effective public control—to issue orders that shall be binding upon the companies unless and until set aside by the Courts, with the burden of appeal squarely upon the company, where it belongs. In addition to this important proposal, the Commission in its report has suggested many changes in the existing statutes which are well calculated to increase the efficiency of its operation and improve the regulation of utilities operating within this State. It has proposed the careful consideration of these recommendations by a special commission which might have ample opportunity to study thoroughly the important question raised thereby.

Being familiar with the problems touched upon I have no hesitation in strongly urging favorable action upon this recommendation.

Accidents at grade crossings continue to distress the public and to receive the careful study and consideration of the Commission. Even the most modern and efficient protective devices fall short of ensuring that degree of public safety which could be achieved were grade crossings eliminated, yet to eliminate all or even a large number of the grade crossings still remaining in this State, it would require an expenditure of State funds and a drain upon railway revenues which is impossible under prevailing conditions. It has, however, come recently to my attention that the Federal Government, in planning its public works and relief activities, has been giving consideration to the expenditures of funds for the purpose of eliminating grade crossings. This is a type of Federal project which will provide employment for a large number of needy persons and which would, though not self-liquidating from a fiscal point of view, yield large dividends over the years to come in a saving of needless loss of life and unnecessary human suffering. I therefore believe that the State should bend every effort toward encouraging and planning for Federal grants for this purpose.

## WILD LIFE DEVELOPMENT

Hunting and fishing are two of the oldest occupations of mankind and have an economic value to this State which it is folly for us to overlook. Our wild life resources over a period of years have become depleted and today we must talk of restoration of wild life rather than conservation.

I believe it is highly important from the point of view of our State that we develop a long time program for the restoration of our wild life resources and that the Fish and Game Department have funds sufficient to supplement their regular income from licenses to start such a program. In order that the citizens of New Hampshire who are particularly interested in fishing and hunting may have something to say about this matter I have asked the Federation of Sportsman's Clubs of New Hampshire to appoint a committee of three persons. I have asked the independent fish and game clubs of New Hampshire to appoint a committee of three, and I now ask that the Legislature designate a committee of three, preferably to include the chairman of the Fish and Game Committee in each branch of the Legislature, and that this joint committee start immediately a study relative to the present status of the fish and game situation in New Hampshire and upon the completion of this, they present to the Legislature their recommendations which should include: First, such a long-time program as I have suggested; Second, any reorganization of the present department which they deem wise and necessary; Third, the minimum amount of funds necessary to supplement the normal income of the Fish and Game Department to start such a long-time program.

## GENERAL STATE DEVELOPMENT

New Hampshire is interested in the development of its industrial, agricultural, and recreational assets. Our program of development which has been under way for the past decade should be extended and pushed vigorously during the coming years. Such expenditure is one of the expenditures of State Government which is truly objective.



I strongly advocate the adoption of the principle of State planning and I believe we should in some way coordinate State planning with the work of the State Development Commission by reorganizing and renaming the Commission. If there was ever a time when we needed thoughtful and careful planning for the future, it is today.

Such a commission could be most helpful in dealing with the relief problem in drafting plans whereby the State might eventually be rid of this tremendous load, insofar as possible getting all families on a solid economic basis by providing jobs and means of livelihood. This is no flash-in-the-pan job.

The time is here when we should make a drive for smaller industries. The appeal I make is one to bring in industries owned by men who want to combine healthy and comfortable living with the earning of a reasonable income. The appeal should not be made solely on the basis of business returns. It should be combined with the appeal that New Hampshire offers a life which is enriching physically and mentally and that it is possible to conduct small businesses here, combining money earning with the living of a complete life.

We should do more to develop industries now here. There is also a real opportunity for expanding our recreational business, pushing the development of winter sports in order that we may more evenly balance our recreational income. If we increase our recreational income and increase the number of workers in industry, the market for our farm products will be greatly increased.

To me State development is more than straight publicity and advertising. Planning of a long-range economic type will play a large part in such development. Plans must be made and leadership provided which will help our citizens to improve our various communities.

The kind of planning which we should do is the kind of planning that any manufacturer or merchant would do who knows that his major problem is to increase his market for goods and services. Essentially our job is to make the State



economically sound. That, ideally speaking, means that all our citizens must be as well fed, well clothed, well housed and well educated as the maximum development of our economic resources will permit. Of course, that calls for an increase in our State income. And that means we must sell more of what we have for sale: goods and services.

New Hampshire was the first State in the country to set up a State Planning Board in cooperation with the Federal Government. The two major political parties are committed to the principle of continuing this function. It is directly concerned with State development, not only along recreational but industrial and agricultural lines.

During the past two years New Hampshire has been able to take advantage of many of the emergency activities devised to create employment to advance certain recreational projects, which in turn have provided facilities for the pleasure and enjoyment of our own citizens and our visitors.

Having developed several recreational centers in all sections of our State, we are faced with the necessity of developing a plan for their operation and care. There will be made available to you a summary of the work done on these various developments. Once more may I suggest that, whatever program the Legislature chooses to make for the care and possible continued development of these recreational centers, it be coordinated with one or more of our existing State departments, but that sufficient individuality be preserved to permit adequate standards and services in this important direction.

The State has had various groups and Commissions studying possible projects along recreational development lines. Among these projects are the so-called scenic highway project and tramway project on Cannon Mountain. The report of the Commission on the tramway project has just been made and will be submitted to this Legislature. The report recommends this project as attractive and self-liquidating and worthy of consideration.

I have spoken of the need for developing industry. We have many small industries in New Hampshire today which

are very vital to the life of our State and which are in a critical condition. Industrial codes have brought many benefits. They have also brought problems to some of the smaller industries, particularly those whose code authorities are far removed from New Hampshire.

Decisions of such authorities at present have the weight of law. In some instances time, distance and expense have placed a heavy burden on small units. It should be a State policy to render assistance to New Hampshire industries to the end that their special problems shall receive fair consideration by code authorities. In this connection I believe it is well to have available an agency that may be helpful on other industrial problems. We must keep alive these industries. New Hampshire cannot afford to lose them.

#### FEDERAL COORDINATION

I believe we should make every effort to coordinate the State's program and functions with the recovery efforts of the Federal Government. This may mean changes in some of our statutes. The President of the United States has already requested such action specifically with respect to public works. Other fields in which action to secure more complete coordination may be necessary include the social field of personal security, rural rehabilitation and housing and industrial regulation.

#### CONCLUSION

In assuming the Governorship today I realize full well the responsibilities that I shall be called upon to meet. Already I have been dealing with the problems incidental to this office. The Governorship of New Hampshire has always been a great honor and today it is as well a tremendous responsibility.

As a member of this General Court you have very distinct and definite obligations and it is your duty to initiate and enact reasonable and sound legislation. It is my job as Governor to pass upon that legislation when it reaches the Executive Department. I shall do so very clearly and definitely, and I shall act upon these measures promptly.

There is no reason insofar as I can see at the present time why this should be a prolonged session of the Legislature. We have a job to do. Let us do everything within our power to expedite the business of this session.

In closing I ask your cooperation on the recommendations made here today. Let us each assume the responsibilities which have been delegated to us.

## RESOLUTION

On motion of Mr. Keefe of Dover:

*Resolved*, That the message of His Excellency, the Governor, be laid upon the table and the clerk be directed to procure the usual number of printed copies.

On motion of Senator Alexander, of District No. 7, the convention rose.

## HOUSE

On motion of Mr. Henderson of Durham the hour for the drawing of seats was changed to 2 o'clock.

On motion of Mr. Wilson of Manchester at 1 o'clock the House took a recess for one hour.

(After recess)

The doorkeepers then appeared and qualified by taking the oath of office.

## SPECIAL ORDER

Mr. Keefe of Dover called for the Special Order, it being the drawing of seats.

The House then proceeded to the drawing of seats.

On motion of Mr. Bagley of Berlin at 4:04 o'clock the House adjourned.

---

FRIDAY, JANUARY 4, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 4, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Hoyt, of Sandwich, at 9:01 o'clock the  
House adjourned.

---

MONDAY, JANUARY 7, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., January 7, 1935.

Mr. Allen M. Freeman,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Maxham, of Concord, at 7:31 o'clock the  
House adjourned.

---

TUESDAY, JANUARY 8, 1935.

The House met at 11 o'clock.

Prayer was offered by Rev. C. B. Etsler of Claremont.

#### LEAVE OF ABSENCE

Mrs. Howison of Milford was granted leave of absence  
for the day on account of sickness in the family.

#### COMMITTEE REPORT

Mr. Cummings of Peterborough for the committee ap-

pointed to select a chaplain reported that the committee presented the name of Daniel M. Welch of Franklin.

The report was accepted.

The question being on the recommendation of the committee.

Mr. Callahan of Keene moved that the name of Austin H. Reed of Keene be substituted for Mr. Welch of Andover.

The question being on the motion.

(Discussion ensued)

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Callahan of Keene.

Mr. Callahan of Keene called for a division.

The Speaker appointed the following tellers:

Division 1, Mr. Dodge of Laconia.

Division 2, Mr. Ahern of Concord.

Division 3, Mr. Callahan of Keene.

Division 4, Mr. Hart of Wolfeboro.

Division 5, Mr. Cummings of Peterborough.

A division being taken it was declared manifestly in the negative.

The question being on the recommendation of the committee.

On motion of Mr. Callahan of Keene the election of Daniel M. Welch of Andover was made unanimous.

#### RESOLUTIONS

On motion of Mr. Wilson of Manchester:

*Resolved*, That in accordance with the recommendation of His Excellency, the Governor, the Speaker be authorized and directed to appoint a committee of five members of the House representative of both political parties, to act with a committee appointed by the Senate, as a joint legislative committee, to study relief measures and to recommend to this legislature a relief plan.



On motion Mr. Nash of Concord:

*Resolved*, That the Clerk be instructed to procure the usual number of printed copies of House Bill No. 2.

On motion Mr. Callahan of Keene:

*Resolved*, That prayers be offered in the House five minutes previous to the opening hour and that His Excellency, the Governor, the Honorable Council and the Honorable Senate be invited to attend.

On motion of Mr. Kearns of Manchester:

*Resolved*, That the Committee on Judiciary be authorized to employ the services of a stenographer and a messenger.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution, in the passage of which it asked the concurrence of the House of Representatives:

*Resolved*, That a joint committee of eight members, consisting of three members from the Senate and five members of the House, be appointed to draft a relief plan, and the President has appointed on the part of the Senate, Senators Alexander, Cole, and Calef.

On motion of Mr. Wilson of Manchester the House concurred.

The Speaker appointed as members of such committee on part of the House, Messrs. Keefe of Dover, Wilson of Manchester, Osborne of Sunapee, Miss Greenfield of Rochester and Weston of Milford.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bill and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Goodwin of Bethlehem, House Bill No. 3, An act legalizing the November election in the town of Bethlehem. To the Committee on Judiciary.

On motion of Mr. Lee of Concord the rules were suspended and the first and second reading of joint resolutions made in order by their captions.

By Mr. Crowell of Hancock, House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire. To the Committee on Judiciary.

By Mr. Currier of Derry, House Joint Resolution No. 2, Joint resolution for improvement of Island Pond road in Derry. To the Committee on Public Improvements.

By Mr. McIntire of Manchester, House Joint Resolution No. 3, Joint resolution limiting the number of persons in one household who may be employed in any state department or in any state institution. To the Committee on the Revision of the Statutes.

By Mr. Hart of Wolfeboro, House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utilities laws. To the Committee on Judiciary.

By Mr. Leahy of Claremont, House Bill No. 4, An act to control the distribution of the sale of milk. To the Committee on Agriculture.

At 11:45 o'clock the House took a recess until 1:55 o'clock.

(After recess)

Senator L. J. Dickinson of Iowa addressed the House.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Blood of Concord, House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State Board of Health. To the Committee on Public Health.

By Mr. Seavey of Rochester, House Bill No. 6, An act relative to horse racing and pari-mutuel pools. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin. To the Committee on Claims.

#### RESOLUTIONS

On motion of Mr. Wilson of Manchester.

*Resolved*, That a joint committee of three members consisting of two members of the House and one member of the Senate be appointed to act with other committees appointed by His Excellency the Governor, to make a study relative to the present status of the fish and game situation in New Hampshire and present their recommendations to this legislature.

The Speaker appointed as members of such committee on part of the House Messrs. Stobie of Hooksett and Chandler of Gorham.

On motion of Mr. Brackett of Greenland:

*Be it resolved*, That the Speaker appoint a committee of five members of the House to investigate the functions of the various departments and commissions to find out if any of these can be either abolished or consolidated with others.

On motion of Mr. Crowell of Hancock at 2:20 o'clock the House adjourned.

## AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Osborne of Sunapee at 2:21 o'clock the House adjourned.

---

## WEDNESDAY, JANUARY 9, 1935.

Prayer was offered by the Chaplain.

### LEAVES OF ABSENCE

Mr. Garland of Dover was granted leave of absence for to-day on account of attending a funeral.

Mr. Heald of Wilton was granted leave of absence for to-day on account of important business.

Mrs. Howison of Milford was granted leave of absence for the week on account of sickness in family.

Mr. McNeil of Portsmouth was granted leave of absence for the week on account of illness.

## PETITIONS PRESENTED AND REFERRED

By Mr. Neal of Meredith, petition of William A. Gaffney of Claremont, praying for a seat in the House.

By Mr. Smart of Tilton, petition of Dennis Brennan of Ward 2, Rochester, praying for a seat in the House.

By Mr. Davis of Conway, petition of Frank E. Colby of Bow, praying for a seat in the House.

By Mr. Neal of Meredith, petition of Samuel L. Henderson of Dover, praying for a seat in the House.

By Mr. Neal of Meredith, petition of Mr. Ernest W. Morgan of Bow, praying for a seat in the House.

Severally presented and referred to the Committee on Elections.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Wilson of Manchester, House Bill No. 7, An act relating to the emergency relief administration.

Read a first and second time. Mr. Keefe of Dover moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Keefe of Dover.

(Discussion ensued)

Mr. A. L. Guay of Laconia moved the previous question.

The question being:

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Keefe of Dover.

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

By Mr. Keefe of Dover, House Bill No. 8, An act relative to disposal of fines imposed under the fish and game and mo-

tor vehicle laws and laws relative to weights and measures. To the Committee on Revision of Statutes.

By Mr. Daniel of Manchester, House Bill No. 9, An act providing for adequate pensions to certain aged citizens and for ways and means of raising the required revenue. To the Committee on Ways and Means.

By Mr. Manor of Salem, House Bill No. 10, An act legalizing the November election in the town of Salem. To the Committee on Judiciary.

By Mr. Molloy of Nashua, House Bill No. 11, An act relating to the building and maintenance of State roads and highways by the State Highway Department. To the Committee on Public Improvements.

By Mr. Molloy of Nashua, House Bill No. 12, An act for the greater detection of crime and apprehension of criminals. To the Committee on Judiciary.

By Mr. Cummings of Peterborough, House Bill No. 13, An act relative to tax collectors. To the Committee on Revision of Statutes.

By Mr. Hart of Wolfeboro, House Bill No. 14, An act regarding lien on real estate. To the Committee on Judiciary.

By Mr. Remick of Bristol, House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance. To the Committee on Public Improvements.

On motion of Mr. Lee of Concord the first and second reading of joint resolutions was made in order by their captions.

The following joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Locke of Deering, House Joint Resolution No. 6, Joint resolution for the completion of the road leading from Deering town line to South Weare. To the Committee on Public Improvements.

By Mr. Beane of Laconia, House Joint Resolution No. 7, Joint resolution in favor of Lawrence Carpenter. To the Committee on Claims.

In pursuance of the resolution introduced by Mr. Brackett



of Greenland at Tuesday's session, relating to the appointment of a committee to investigate the functions of the various departments and commissions, the Speaker appointed as members of such committee, Messrs. Brackett of Greenland, Woods of Mont Vernon, Shaw of Chichester, Callahan of Keene and Sanderson of Pittsfield.

The Speaker announced the appointment of the following committee to make assignments of rooms to the various committees: Messrs. Hart of Wolfeboro, Sullivan of Manchester and Mrs. Mason of Berlin.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following resolution, sent up from the House of Representatives:

*Resolved*, That a joint committee of three members consisting of two members of the House and one member of the Senate be appointed to act with other committees appointed by His Excellency, the Governor, to make a study relative to the present status of the fish and game situation in New Hampshire and present their recommendations to this legislature.

The President appointed Senator Wiley, on the part of the Senate.

At 11:58 o'clock the Speaker declared the House to be in recess until 1:30 o'clock.

(After recess)

The introduction of bills and joint resolutions was resumed.

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Peloquin of Manchester, House Bill No. 16, An act relating to expiration date of motor vehicle registrations, municipal permits and licenses for motor vehicle operators. To the Committee on Judiciary.

By Mr. Dagan of Auburn, House Bill No. 17, An act to

close Little Massabesic pond in the town of Auburn to ice fishing. To the Committee on Fisheries and Game.

By Mr. Osborne of Sunapee, House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes. To the Committee on Appropriations.

By Mr. Fogg of Deerfield, House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's Corner, on Deerfield South road to Ladd's Corner on the Raymond road, in the town of Deerfield. To the Committee on Public Improvements.

The Speaker declared the House to be in recess for two hours.

(After recess)

#### COMMITTEE APPOINTMENTS

The Speaker announced the following appointments of standing committees:

*Agriculture:* Colburn (Chairman) of Newbury, Marshall of Northumberland, Sanborn of Salisbury, Fuller of Stratford, Locke of Barrington, Jones of Pelham, Pickering of Newington, Bowles of Easton, Williams of Grafton, Graves of Walpole, Gordon of Meredith, Cram of Unity, Heald of Wilton, Adams of Londonderry, Reid of Litchfield, Gray of Columbia, Stevens of Brentwood, Barton of Lempster, Wilson of Hollis.

*Appropriations:* Osborne (Chairman) of Sunapee, Sawyer of Woodstock, Elliott of Madbury, Sanderson of Pittsfield, Simpson of Laconia, Chandler of Gorham, Varney of Alton, Sullivan of Manchester, Ward 6, Merrill of Plymouth, Whitcomb of Dalton, Barrett of Portsmouth, Ward 1, Dion of Nashua, Ward 5, Hunter of Hanover, Shaw of Chichester, Henderson of Durham, <sup>\*</sup>Clow of Wolfeboro, Cummings of Peterboro, Rice of Rindge, McLean of Plymouth.

*Banks:* Lombard (Chairman) of Colebrook, Walker of Newmarket, Carroll of Laconia, Molloy of Nashua, Ward 8, Bell of Berlin, Ward 1, Quimby of Claremont, Perry of Swanzeey (R. F. D. Winchester), Richards of Manchester, Ward 8, Chandler of Claremont, Hodsdon of Somersworth, Emery of

\* Died Dec 19, 1935

Manchester, Ward 1, Bishop of Lisbon, Scruggs of Haverhill, Tighe of Rollinsford (Salmon Falls), Manor of Salem, Wadleigh of Milford, Danforth of Nashua, Ward 2.

*Claims:* Lagueux (Chairman) of Somersworth, Ward 1, Soucy of Manchester, Ward 12, Healy of Manchester, Ward 5, Sweeney of Manchester, Ward 5, Cormier of Nashua, Ward 8, Charland of Manchester, Ward 7, Maynard of Nashua, Ward 5, Courtemanche of Allentown, Cartier of Rochester, Ward 3, Abbott of Derry, Russell of Exeter, Keenan of Dover, Ward 1, Piper of Belmont, Banfield of Moultonborough, Maxham of Concord, Ward 7, Huntley of Marlow, Johnson of Cornish.

*Coastwise Improvements:* Thayer (Chairman) of Epping, McNeil of Portsmouth, Turcotte of Newmarket, Barry of Manchester, Ward 3, Hodgman of Bedford, Lyford of Kingston, Farmer of Newport, Donovan of Concord, Turgeon of Pembroke, Lemire of Franklin, Ward 2, Adams of Seabrook, Francoeur of Nashua, Ward 2, Marston of Rye, Perkins of Hampton, Seavey of Rochester, Little of Barnstead, Brackett of Greenland.

*Education:* Bailey (Chairman) of Newport, Dondero of Portsmouth, Ward 1, Clancy of Manchester, Ward 6, Moran of Nashua, Ward 6, Piper of Franklin, Eliot of Raymond, Ordway of Berlin, Bowles of Easton, Howard of Dover, Ward 2, Roche of Keene, Ward 5, Stiles of Dummer, Mudge of Northwood, McIntire of Manchester, Ward 2, Wylie of Concord, Ward 7, Mercer of Peterboro, Hoyt of Lebanon, Benton of Exeter.

*Elections:* Barrett (Chairman) of Portsmouth, Ward 1, Durkin of Dover, Ward 2, Neal of Meredith, Weeks of Tamworth, Coakley of Concord, Ward 1, Roukey of Manchester, Ward 11, Graves of Walpole, Stetson of Claremont, Burgault of Lyman, Bagley of Berlin, Ward 1, Abbott of Portsmouth, Ward 5, Tighe of Rollinsford, Merrill of Loudon, Putnam of Antrim, Kimball of Hinsdale, Reney of Grantham, Keyser of Haverhill.

*Fisheries and Game:* Guay, Alfred, (Chairman) of Laco-  
nia, Ward 2, Matott of Concord, Ward 1, Charois of Green-

ville, Goodwin of Bethlehem, Warren of Pembroke, Thomas of Claremont, Keating of Keene, Corey of Manchester, Ward 4, Turcotte of Manchester, Ward 7, Maddox of Nashua, Ward 7, Fournier of Nashua, Ward 6, Gelinas of Farmington, Stobie of Hooksett, Peever of Salem, Clark of Harrisville, Garland of Dover, Ramsey of Colebrook, Keyser of Haverhill, Reney of Grantham.

*Forestry:* Sanderson (Chairman) of Pittsfield, Howard of Wilmot, Guay, Alfred, of Laconia, Letendre of Manchester, Ward 12, Thayer of Epping, Locke of Barrington, Weeks of Tamworth, Bouthillier of Nashua, Clark of Harrisville, Yeaton of Benton, Hancock of Milan, Reardon of Boscawen, Barnes of Mason, Buffum of Dunbarton, Peaslee of Weare, Appleton of Dublin, Russell of Conway.

*Incorporations:* McNeil (Chairman) of Portsmouth, Ward 3, Letendre of Manchester, Ward 12, O'Brien of Manchester, Ward 5, Lavigne of Nashua, Ward 7, Maynard of Nashua, Ward 5, Goodwin of Bethlehem, Yeaton of Benton, Jones of Lebanon, Sullivan of Berlin, Floyd of South Hampton, Simpson of Bartlett, Estabrook of Alstead, Jones of Keene, Britton of Westmoreland, Fuller of Stewartstown, Crowell of Hancock, Gage of Manchester, Ward 2.

*Industrial School:* Getz (Chairman) of Manchester, Ward 10, Robinson of Somersworth, Ward 5, Hayes of Manchester, Ward 9, Letendre of Nashua, Ward 3, Desmarais of Nashua, Ward 9, Bernier of Manchester, Ward 8, Gagnon of Manchester, Ward 7, Aubin of Manchester, Ward 12, Carignan of Franklin, Ward 2, Coffin of Dover, Ward 1, Stevens of Candia, Perry of Jaffrey, Robinson of Concord, Ward 2, Thompson of Effingham, Hunt of Gilford, Graham of Canaan, Dahl of Berlin, Ward 3.

*Insurance:* Mahoney (Chairman) of Manchester, Ward 4, Downing of Newport, Morgan of Rochester, Ward 2, Farrell of Manchester, Ward 7, Lavallee of Manchester, Ward 9, Boilard of Nashua, Ward 3, Ravenelle of Nashua, Ward 6, Bagley of Berlin, Ward 1, Dodge of Laconia, Ward 1, Hetherman of Keene, Ward 1, Tilton of Concord, Ward 6, Towle of Jefferson, Boutwell of Concord, Parker of Lisbon, Green-



field of Rochester, Ward 6, Hardy of Enfield, Peaslee of Plaistow.

*Judiciary Committee:* Keefe of Dover, Kearns of Manchester, Ward 10, Molloy of Nashua, Ward 8, Mason of Berlin, Ward 1, Cote of Manchester, Ward 7, O'Reilly of Manchester, Ward 3, Kittredge of Portsmouth, Ward 1, Gotts of Rochester, Ward 1, Sheehy of Newfields, Bullock of Richmond, Burgault of Lyman, Wilson of Manchester, Ward 1, Leahy of Claremont, Vancore of Northfield, Graf of Manchester, Ward 2, Morris of Lancaster, Perley of Lebanon, Weston of Milford, Freeman of Concord, Ward 7.

*Labor:* Brouillette (Chairman) of Manchester, Ward 13, Betley of Manchester, Ward 5, Dugan of Nashua, Ward 4, Barden of Berlin, Ward 1, Donovan of Concord, Ward 9, Shea of Keene, Ward 1, Turcotte of Rochester, Ward 4, Flanagan of Somersworth, Ward 4, Hosking of Claremont, Legassie of Lincoln, Craine of Hillsboro, Bastow of Nashua, Ward 1, Bean of Franklin, Ward 3, Hepworth of Derry, Neal of Dover, Davis of Conway, Allen of Portsmouth, Ward 2.

*Laconia State School:* Beane (Chairman) of Laconia, Ward 1, Gaudreault of Manchester, Ward 10, O'Brien of Manchester, Ward 5, Talty of Manchester, Ward 3, Peloquin of Manchester, Ward 7, Lavigne of Nashua, Ward 7, Deschenes of Somersworth, Ward 4, Holleran of Manchester, Ward 8, Dutil of Berlin, Ward 4, Foss of East Kingston, Marston of North Hampton, Monroe of Andover, Mansur of Concord, Ward 4, Ball of Hopkinton, Hilliard of Tuftonboro, Plastridge of New Hampton, Remick of Bristol.

*Liquor Laws:* Coakley (Chairman) of Concord, Ward 1, Getz of Manchester, Ward 10, Lariviere of Manchester, Ward 13, Buckley of Portsmouth, Ward 3, Bixby of Berlin, Ward 4, Daly of Claremont, Bergeron of Rochester, Ward 4, Hough of Nashua, Ward 7, Dwyer of Manchester, Ward 3, Phelan of Stark, Pierce of Bennington, Stafford of Laconia, Ward 4, Tucker of Portsmouth, Ward 2, Sawyer of Franconia, Rose of Portsmouth, Ward 5, Conner of Sutton, Winkley of Ossipee.

*Mileage:* Quimby of Claremont, Buckley of Portsmouth,



Ward 3, Creighton of Manchester, Ward 5, Connelly of Manchester, Ward 6, McLaughlin of Manchester, Ward 11, Letendre of Nashua, Ward 3, Hetherman of Keene, Ward 1, Kiniry of Walpole, Ordway of Berlin, Ward 2, Millen of Lebanon, Astle of Littleton, Grant of Lyme, Cook of Rumney, Hilton of Keene, Ward 3, Horner of Winchester, Mudgett of Conway, Knowlton of Manchester, Ward 1.

*Military Affairs:* Molloy (Chairman) of Nashua, Ward 8, Beane of Laconia, Ward 1, Gaudreault of Manchester, Ward 10, Gagnon of Manchester, Ward 7, Peloquin of Manchester, Ward 7, Glynn of Nashua, Ward 8, Maynard of Nashua, Ward 5, Henderson of Berlin, Ward 2, Holleran of Manchester, Ward 8, Pierce of Bennington, Crowell of Hancock, Stevenson of Exeter, Blood of Concord, Ward 4, Lewis of Littleton, Averill of Warren, Wardwell of Keene, Ward 4, Reed of Winchester.

*National Affairs:* Bouthillier of Nashua, Ward 9, Ellis of Ashland, Shea of Keene, Ward 1, Durnin of Dover, Ward 5, Hosking of Claremont, Cantin of Laconia, Ward 5, Sanborn of Salisbury, Dagan of Auburn, Judd of Pittsburg, Wallis of Sanbornton, Lufkin of Orford, Chase of Stratham, Daniels of Manchester, Ward 1, Currier of Derry, Firmin of Fitzwilliam, Woodbury of Nashua, Ward 1, Hutchins of Charlestown.

*Normal Schools:* Kearns (Chairman) of Manchester, Ward 10, Dickinson of Rochester, Ward 5, Clougherty of Manchester, Ward 4, Mahoney of Manchester, Ward 4, Maddox of Nashua, Ward 7, Bolton of Manchester, Ward 8, Glynn of Nashua, Ward 8, Marshall of Northumberland, Farmer of Newport, Stevenson of Exeter, Sym of Goffstown, Willis of Gorham, Merrill of Laconia, Ward 5, Marden of Holderness, Merrill of Haverhill, Spaulding of Keene, Ward 4, Sturtevant of Concord, Ward 6.

*Public Health:* Carroll (Chairman) of Laconia, Ward 3, Kittredge of Portsmouth, Ward 1, Pomerleau of Dover, Ward 1, Burque of Nashua, Ward 8, Moran of Manchester, Ward 8, Healy of Manchester, Ward 6, McLaughlin of Manchester, Ward 11, Myler of Berlin, Ward 4, Dugas of Berlin, Ward 4, Nash of Concord, Ward 6, Cutting of Croydon, Young of

Wakefield, Hoyt of Laconia, Ward 4, Putnam of Hanover, Page of Gilmanton, Blood of Concord, Ward 4, Emerson of Windham.

*Public Improvements:* Neal (Chairman) of Meredith, Perkins of Pittsfield, Fogg of Deerfield, Boucher of Somersworth, Ward 3, Smith of Berlin, Ward 1, Creighton of Manchester, Ward 5, Bouthiette of Manchester, Ward 8, Lyford of Kingston, Cummings of Newport, Lyman of Madison, Hall of Dover, Jones of Pelham, Shepard of New London, Tanner of Milton, Hart of Wolfeboro, Granger of Swanzey, Mitchell of Campton, Fitts of Chester, Hoyt of Sandwich, Reed of Plainfield, Thompson of Lancaster, Kemp of Concord, Ward 3, Blake of Concord, Ward 5.

*Revision of the Statutes:* Ahern (Chairman) of Concord, Ward 9, Smart of Tilton, Lefavour of Farmington, McDonough of Dover, Lambert of Manchester, Ward 13, Van Vliet of Manchester, Ward 11, Fitzgerald of Manchester, Ward 4, Connolly of Manchester, Ward 6, Lagueux of Somersworth, Ward 1, Sullivan of Berlin, Ward 2, Ellis of Ashland, Jones of Lebanon, Daly of Claremont, Woods of Mont Vernon, Estler of Claremont, Barnard of Manchester, Ward 2, Kimball of Hinsdale, Pillsbury of Derry, Cilley of Exeter.

*Soldiers Home:* Smart (Chairman) of Tilton, McDonough of Manchester, Ward 8, Gallagher of Manchester, Ward 10, Lafond of Hooksett, Dion of Nashua, Ward 5, Barry of Nashua, Ward 4, Blanchette of Manchester, Ward 12, Driscoll of Manchester, Ward 9, Clancy of Manchester, Ward 5, Barnes of Mason, Carlton of Fremont, Estabrook of Newton, Chandler of Frankestown, Bergholtz of Manchester, Ward 2, Hall of Keene, Ward 2, Randall of Troy, McNamee of Amherst.

*State Hospital:* Matott of Concord, Ward 1, Dondero of Portsmouth, Ward 1, Gallagher of Manchester, Ward 10, Clancy of Manchester, Ward 5, Mahoney of Manchester, Ward 5, Ladouceur of Manchester, Ward 13, Desruisseaux of Manchester, Ward 12, Durkin of Dover, Ward 2, Cantin of Laconia, Ward 5, Brunel of Concord, Ward 7, Peaslee of Henniker, Cloues of Warner, Brungot of Berlin, Ward 3, Maker

of Merrimack, Baker of New Boston, Gelinas of Manchester, Ward 8, Fowell of Nashua, Ward 1.

*State Prison:* Sullivan (Chairman) of Manchester, Ward 6, Cormier of Nashua, Ward 8, Roukey of Manchester, Ward 11, Driscoll of Manchester, Ward 9, Soucy of Manchester, Ward 12, Cartier of Rochester, Ward 3, Howard of Dover, Ward 2, Pomerleau of Dover, Ward 1, Guay, Thomas, of Laconia, Ward 2, Goodwin of Hudson, Smith of Hudson, Emerson of Rochester, Ward 2, Harmon of Portsmouth, Ward 4, Elson of Strafford, Cole of Northumberland, Janvrin of Hampton Falls, Yeaton of Portsmouth, Ward 2.

*Towns and Counties:* Fogg of Deerfield, Downing of Newport, Hodsdon of Somersworth, Ward 2, Chabot of Dover, Ward 2, Dodge of Laconia, Ward 1, Healey of Manchester, Ward 5, Charland of Manchester, Ward 7, Gaffney of Claremont, Eliot of Raymond, Pray of Portsmouth, Little of Hampstead, Emerson of Washington, Hathorn of Lebanon, Simpson of Littleton, Danforth of Bradford, Martel of Berlin, Ward 3, Gates of Keene, Ward 3.

*Transportation:* McNamara (Chairman) of Lebanon, Pickering of Newington, Gordon of Meredith, Dempsey of Franklin, Ward 3, Barnard, John E. of Nashua, Ward 3, Daniel of Manchester, Ward 13, Jordan of Manchester, Ward 6, Locke of Deering, Gilson of Brookline, White of Keene, Ward 5, Demers of Epsom, Chabot of Dover, Ward 2, Hanson of Gilsum, Avery of Goffstown, Dow of Laconia, Ward 6, Bergholtz of Manchester, Ward 2, Thompson of New Ipswich, Howison of Milford, Magoon of Littleton.

*University of New Hampshire:* Perkins of Pittsfield, Myler of Berlin, Ward 4, Piper of Franklin, Ward 1, Bergeron of Rochester, Ward 4, Durnin of Dover, Ward 5, Tobin of Manchester, Ward 3, Sweeney of Manchester, Ward 11, Charbonneau of Nashua, Ward 5, Kiniry of Walpole, Stetson of Claremont, Williams of Grafton, Henderson of Berlin, Ward 2, Davis of Conway, McIntire of Manchester, Ward 2, Hammond of Jaffrey, Saltmarsh of Concord, Ward 6, Chickering of Chesterfield, Matheson of Goffstown, Witcher of Whitefield.

*Ways and Means:* Lee (Chairman) of Concord, Ward 8, Shepard of New London, Lombard of Colebrook, Ford of Danbury, Palmer of Berlin, Tallman of Canterbury, Guay, Thomas, of Laconia, Booth of Manchester, Ward 6, Dagan of Auburn, McNeil of Portsmouth, Ward 3, Dickinson of Rochester, Ward 5, Freeman of Claremont, Boynton of Hillsboro, Guyer of Hanover, Wiswall of Marlborough, Winslow of Nashua, Ward 1, Dame of Concord, Ward 5, Callahan of Keene, Gale of Jackson.

*Committee on Rules:* The Speaker, Keefe of Dover, Ward 4, Osborne of Sunapee, Wilson of Manchester, Ward 1, Hunter of Hanover.

*Engrossed Bills:* Sawyer of Woodstock, Henderson of Durham.

*State House and State House Yard:* Donovan of Concord, Ward 9, Lee of Concord, Ward 8, Simpson of Bartlett.

*State Library:* Keefe of Dover, Ward 4, Ordway of Berlin, Ward 2, Crowell of Hancock.

On motion of Mr. Keefe of Dover at 5:14 o'clock the House adjourned.

## AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Wilson of Manchester at 5:15 o'clock the House adjourned.

---

## THURSDAY, JANUARY 10, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

### LEAVE OF ABSENCE

Mr. Wadleigh of Milford was granted leave of absence for the day on account of important business.

### PETITION PRESENTED AND REFERRED

By Mr. Sanborn of Salisbury, petition of citizens of Salisbury in relation to the trapping of foxes. To the Committee on Fisheries and Game.



## COMMITTEE REPORT

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 7, An act relating to the emergency relief administration.

The report was accepted.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Wilson of Manchester, House Bill No. 19, An act to incorporate Appalachian Mountain club. To the Committee on Judiciary.

By Mr. Tallman of Canterbury, House Bill No. 20, An act regarding registration and permits of motor vehicles. To the Committee on Judiciary.

By Mr. Betley of Manchester, House Bill No. 21, An act reducing the interest which may be charged for the late payment of taxes. To the Committee on Revision of the Statutes.

By Mr. Betley of Manchester, House Bill No. 22, An act eliminating the double payment of tax collectors already employed at a fixed salary. To the Committee on Revision of the Statutes.

By Mr. Simpson of Laconia, House Bill No. 23, An act to amend Chapter 382 of the Public Laws entitled "Cruelty to Animals." To the Committee on Revision of the Statutes.

By Mr. Adams of Seabrook, House Bill No. 24, An act relating to the taking of lobsters. To the Committee on Fisheries and Game.

By Mr. Hoyt of Sandwich, House Bill No. 25, An act relating to confiscation of liquor in certain cases. To the Committee on Judiciary.

By Mr. Simpson of Laconia, House Bill No. 26, An act relating to the sale of liquor. To the Committee on Liquor Laws.



By Mr. Hunter of Hanover, House Bill No. 27, An act relative to the settlement of paupers. To the Committee on Judiciary.

By Mr. Hunter of Hanover, House Bill No. 28, An act relating to real estate brokers and salesmen. To the Committee on Judiciary.

On motion of Mr. Lee of Concord the first and second reading of joint resolutions by their captions was made in order for the remainder of the session.

By Mr. Munroe of Andover, House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg. To the Committee on Claims.

By Mr. Merrill of Loudon, House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage Line, so called, leading from Loudon to Kelley's Corner in Lower Gilmanton. To the Committee on Public Improvements.

By Mr. Gotts of Rochester, House Joint Resolution No. 11, Joint resolution to build a first class state road on the Salmon Falls road in Rochester and Somersworth. To the Committee on Public Improvements.

By Mr. Hoyt of Sandwich, House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier Trunk Line road, in the town of Sandwich. To the Committee on Public Improvements.

By Mr. Smith of Hudson, House Joint Resolution No. 13, Joint resolution for the improvement of the road from Hudson to Pelham in the town of Hudson. To the Committee on Public Improvements.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 7, An act relating to the emergency relief administration.

The message further announced that the Senate had passed

a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

SENATE BILL READ AND REFERRED

Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

The bill was read a first and second time and referred to the Committee on Judiciary.

RESOLUTIONS

By Mr. Lee of Concord,

*Resolved*, That when the House adjourns today it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Callahan of Keene at 11:40 o'clock the House adjourned.

---

FRIDAY, JANUARY 11, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 11, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

COMMITTEE REPORTS

Mr. Hart of Wolfeboro, for the Committee appointed to make assignment of rooms, presented the following report:

*Agriculture*: State House—Room 120, Department of Agriculture.

*Appropriations:* State House—Room 157.

*Banks:* State House—Room 141, Bank Commission.

*Claims:* State House—Committee Room 100.

*Coastwise Improvements:* State House—Committee Room 100.

*Education:* Patriot Building—Room 300.

*Elections:* State House—Room 156.

*Fisheries and Game:* American Legion Building, 21 Capitol Street, 1st floor—Room 6.

*Forestry:* Patriot Building—Room 304.

*Incorporations:* State House—Room 156.

*Industrial School:* American Legion Building, 21 Capitol Street, 1st floor—Room 4.

*Insurance:* American Legion Building, 21 Capitol Street, 1st floor—Room 4.

*Judiciary:* State House—Room 147, Judiciary Room.

*Labor:* State House—Committee Room 100.

*Laconia State School:* American Legion Building, 21 Capitol Street, 1st floor—Room 4.

*Liquor Laws:* American Legion Building, 21 Capitol Street, 1st floor—Room 7.

*Mileage:* State House—Committee Room 156.

*Military Affairs:* State House—Room 102, Adjutant General.

*National Affairs:* State House—Room 102, Adjutant General.

*Normal Schools:* Patriot Building—Room 300.

*Public Health:* American Legion Building, 21 Capitol Street, 1st floor—Room 1.

*Public Improvements:* Concord Chamber of Commerce.

*Revision of Statutes:* State House—Room 156.

*Soldiers' Home:* American Legion Building, 21 Capitol Street, 2nd floor—Room 17.

*State Hospital:* American Legion Building, 21 Capitol Street, 2nd floor—Room 11.

*State Prison:* American Legion Building, 21 Capitol Street, 2nd floor—Room 11.

*Towns and Counties:* American Legion Building, 21 Capitol Street, 2nd floor—Room 1.

*Transportation:* American Legion Building, 21 Capitol Street, 2nd floor—Room 11.

*University of New Hampshire:* State House—Committee Room 100.

*Ways and Means:* State House—Room 135, Tax Commission.

*Rules:* State House—Room 128, Secretary of State.

*Engrossed Bills:* State House—Room 128, Secretary of State.

*State House and State House Yards:* State House—Room 123A, Superintendent's Office.

*State Library:* State Library.

The report was accepted.

On motion of Mr. Nash of Concord at 9:18 o'clock the House adjourned.

---

MONDAY, JANUARY 14, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 14, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Dame of Concord at 7:31 o'clock the House adjourned.

---

TUESDAY, JANUARY 15, 1935.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

## PETITION PRESENTED AND REFERRED

By Mr. Chandler of Claremont, petition of the citizens of Claremont relating to chain store tax legislation.

Presented and referred to the Committee on Ways and Means.

## RESOLUTION

By Mr. Perley of Lebanon,

*Resolved*, That the order whereby Senate Bill No. 1 was referred to the Judiciary Committee be vacated and the bill returned to the House immediately.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Perley of Lebanon moved that the rules be suspended and the bill made in order for a third reading at the present time.

The question being on the motion of Mr. Perley.

(Discussion ensued)

Mr. Clancy of Manchester, Ward 5, moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Perley.

On a *viva voce* vote the motion prevailed.

The third reading having commenced on motion of Mr. Perley the further reading was dispensed with. The bill was then passed and sent to the Secretary of State to be engrossed.

## RESOLUTIONS

Mr. Wilson of Manchester offered the following resolution:

*Resolved*, That Section 13 of the Joint Rules of the House and Senate be amended by striking out in the third line the word "second" and inserting in place thereof the word "third" so that said section as amended shall read as follows:

13. No bill, joint resolution, claim outstanding on the first



day of the session, or petition relating to new business shall be received in either branch of the legislature after the third week of the session, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two thirds of the whole number of members shall, on division taken, vote in favor thereof, and not otherwise.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Callahan of Keene offered the following resolution:

*Resolved*, That the Speaker is hereby authorized and empowered to appoint a reading clerk for the House.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Wilson of Manchester in the Chair

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Jones of Lebanon, House Bill No. 29, An act relating to the operation of motor vehicles while under the influence of intoxicating liquor. To the Committee on Judiciary.

By Mr. Jones of Lebanon, House Bill No. 30, An act relating to food for prisoners. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 31, An act for the protection of persons under arrest. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 32, An act relating to the superior court. To the Committee on Judiciary.

By Mr. Jones of Lebanon, House Bill No. 33, An act relating to motor vehicle law. To the Committee on Judiciary.

By Mr. Wilson of Manchester, House Bill No. 34, An act to regulate the practice of barbering. To the Committee on Public Health.

By Mr. VanVliet of Manchester, House Bill No. 35, An act relating to the blind. To the Committee on Revision of the Statutes.

By Mr. Daniel of Manchester, House Bill No. 36, An act providing for adequate pensions to certain aged citizens and for ways and means of raising the required revenue. To the Committee on Ways and Means.

By Mr. Graham of Canaan, House Bill No. 37, An act to amend the fish and game laws of the State of New Hampshire relating to the preservation of the fish in Goose pond, a lake located in Canaan. To the Committee on Fisheries and Game.

By Mr. Wilson of Manchester, House Bill No. 38, An act to amend the charter of Masonic Home. To the Committee on Judiciary.

By Mr. Freeman of Concord, House Bill No. 39, An act to ratify an Interstate Compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies. To the Committee on Labor.

By Mr. Jones of Lebanon, House Bill No. 40, An act relating to the motor vehicle law. To the Committee on Judiciary.

By Mr. Weston of Milford, House Bill No. 41, An act relative to Building and Loan Associations. To the Committee on Banks.

By Mr. Dame of Concord, House Bill No. 42, An act in amendment of the charter of the city of Concord.

The bill was read a first and second time and laid upon the table to be printed.

On motion of Mr. Dame of Concord the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Concord.

By Mr. Bell of Berlin, House Bill No. 43, An act providing for a lien upon household furniture, effects and baggage. To the Committee on Revision of the Statutes.

By Mr. Smart of Tilton, House Bill No. 44, An act relating to elections. To the Committee on Judiciary.

By Mr. Smart of Tilton, House Bill No. 45, An act to amend the school laws. To the Committee on Revision of the Statutes.

By Mr. Guyer of Hanover, House Bill No. 46, An act to incorporate the Clark School Foundation. To the Committee on Judiciary.

By Mr. Appleton of Dublin, House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary. To the Committee on Judiciary.

By Mr. Foss of East Kingston, House Bill No. 48, An act relative to the rights of political parties. To the Committee on Judiciary.

By Mr. Blood of Concord, House Bill No. 49, An act relative to the discharge of sewage. To the Committee on Public Health.

By Mr. Blood of Concord, House Bill No. 50, An act relating to nuisances. To the Committee on Revision of the Statutes.

By Mr. Blood of Concord, House Bill No. 51, An act authorizing reimbursements to the state Laboratory of Hygiene. To the Committee on Judiciary.

By Mr. Neal of Meredith, House Bill No. 52, An act annexing certain islands in Lake Winnepesaukee to the town of Meredith. To the Committee on Towns and Counties.

By Mr. Callahan of Keene, House Bill No. 53, An act providing for damages caused by liquor. To the Committee on Liquor Laws.

By Mr. Neal of Meredith, House Bill No. 54, An act defining the rights of school board members in supervisory unions. To the Committee on Revision of the Statutes.

By Mr. Whitcomb of Dalton, House Bill No. 55, An act providing for the maintenance of the bridge over the Connecticut river from Dalton, New Hampshire to Lunenburg, Vermont. To the Committee on Public Improvements.

By Mr. Hepworth of Derry, House Bill No. 56, An act relating to relief. To the Committee on Judiciary.

By Mr. Willis of Gorham, House Bill No. 57, An act relating to liens for water rates. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association. To the Committee on Banks.

By Mr. Piper of Belmont, House Bill No. 59, An act to improve the Tilton-Belmont road in the town of Belmont. To the Committee on Public Improvements.

By Mr. Yeaton of Benton, House Joint Resolution No. 14, Joint resolution in favor of New Hampshire State Sanatorium. To the Committee on Appropriations.

By Mr. Yeaton of Benton, House Joint Resolution No. 15, Joint resolution in favor of New Hampshire State Sanatorium. To the Committee on Appropriations.

By Mr. Yeaton of Benton, House Joint Resolution No. 16, Joint resolution in favor of New Hampshire State Sanatorium. To the Committee on Appropriations.

By Mr. Perley of Lebanon, House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester. To the Committee on Public Improvements.

By Mr. Wadleigh of Milford, House Joint Resolution No. 18, Joint resolution providing for the improvement of road in the town of Lyndeborough. To the Committee on Public Improvements.

By Mr. Osborne of Sunapee, House Joint Resolution No. 19, Joint resolution providing for additional mothers aid. To the Committee on Appropriations.

By Mr. Osborne of Sunapee, House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department. To the Committee on Appropriations.

By Mr. Gordon of Meredith, House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New

Hampton road and the improvement of the road leading from said road to the Laconia line. To the Committee on Public Improvements.

By Mr. Whitcomb of Dalton, House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield. To the Committee on Public Improvements.

By Mr. Fitts of Chester, House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester. To the Committee on Public Improvements.

By Mr. Blood of Concord, House Joint Resolution No. 24, Joint resolution relating to the United States Veterans' Administration Facility, Manchester, New Hampshire.

The joint resolution was read a first and second time. On motion of Mr. Blood of Concord the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

The joint resolution was then ordered to a third reading.

Mr. Blood of Concord moved that the rules be further suspended and the joint resolution made in order for a third reading at the present time by its caption.

The question being on the motion of Mr. Blood.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

By Mr. Gilson of Brookline, House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney. To the Committee on Claims.

The Speaker in the chair

At 12:17 o'clock the House took a recess until 1:50 o'clock.

(After recess)

The introduction of bills and joint resolutions was resumed.

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Clark of Harrisville, House Bill No. 60, An act rela-



tive to local option on the liquor and beer questions. To the Committee on Liquor Laws.

By Mr. Goodwin of Hudson, House Bill No. 61, An act relative to the revocation and suspension of motor vehicle licenses and registrations. To the Committee on Judiciary.

By Mr. Goodwin of Hudson, House Bill No. 62, An act relating to compensation of trustees of trust funds. To the Committee on Revision of the Statutes.

By Mr. Grant of Lyme, House Bill No. 63, An act relating to the construction and maintenance of a through line of highway in the towns of Lyme, Hanover and Canaan. To the Committee on Public Improvements.

By Mr. Perley of Lebanon, House Bill No. 64, An act relating to the testing of cattle. To the Committee on Agriculture.

By Mr. Wilson of Manchester, House Bill No. 65, An act relating to the Superior Court. To the Committee on Judiciary.

By Mr. Hancock of Milan, House Bill No. 66, An act in relation to tax collectors. To the Committee on Judiciary.

By Mr. Lefavour of Farmington, House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm St. To the Committee on Public Improvements.

By Mr. Henderson of Durham, House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records. To the Committee on Appropriations.

By Mr. Henderson of Durham, House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records. To the Committee on Appropriations.

By Mr. Piper of Franklin, House Joint Resolution No. 29, Joint resolution in favor of Donat J. Cote of Franklin. To the Committee on Claims.

## COMMITTEE REPORT

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 1, An act relating to an extended use of 1934, 1935 and 1936 number plates on motor vehicles.

The report was accepted.

#### RESOLUTIONS

On motion of Mr. Alfred L. Guay of Laconia:

*Resolved*, That the membership of the Committee on Fisheries and Game be increased by two.

On motion of Mr. Keenan of Dover:

*Resolved*, That a committee of five be appointed to draw up suitable resolutions on the death of Homer Foster Elder, a former member of the Senate and of the House.

On motion of Mr. Neal of Meredith at 3:00 o'clock the House adjourned.

#### AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Osborne of Sunapee at 3:01 o'clock the House adjourned.

---

#### WEDNESDAY, JANUARY 16, 1935.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Sullivan of Manchester was granted leave of absence for to-day on account of important business.

Mr. Grant of Lyme was granted leave of absence for the rest of the week on account of illness in family.

Mr. Cilley of Exeter was granted leave of absence for the rest of the week on account of illness.

#### ATTACHES APPOINTED

The Speaker announced the appointment of the following attaches:

*Custodian of Mails and Supplies*.—James F. Tonery, Manchester.

*Warden of Coat Room.*—James W. Pridham, New Castle.  
*Assistant Warden of Coat Room.*—Oscar G. Ronn, Concord.

*Library Messenger.*—Patrick H. O'Neil, Laconia.

*Telephone Messenger.*—Daniel J. Cronin, Dover.

*Pages of House.*—John F. Clark, Manchester; George J. O'Neil, Nashua; Louis E. Gauthier, Manchester; Henry J. H. Parent, Nashua; Clarence J. R. Hunter, Manchester.

*Speaker's Page.*—Donald W. Marshall, Northumberland.

#### COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to prepare resolutions on the death of Homer Foster Elder of Dover: Messrs. Keenan of Dover, Garland of Dover, Callahan of Keene, Simpson of Bartlett and Keefe of Dover.

#### RESOLUTION

On motion of Mr. Weston of Milford.

*Resolved*, That the Clerk be instructed to have printed five hundred additional copies of House Bill No. 41, An act relative to Building and Loan Associations.

#### COMMUNICATION FROM GOVERNOR

The Speaker read the following communications from His Excellency the Governor:

HONORABLE AMOS N. BLANDIN,

*Speaker of the House of Representatives*,  
State House,

Concord, New Hampshire.

*My dear Mr. Speaker:*

I wish to call the attention of all Members of the House of Representatives to a new service which has been provided by the State Library.

"Throughout the United States legislative services are functioning with varying degrees of efficiency. Yet up to the present New Hampshire has been without such a service. With ERA help, however, the State Library has set up a legislative department, and will welcome inquiries from

members of the legislature and other state officials. Information has been gathered and put into concise form relative to various questions to be considered, such as milk control and state police. The laws of other states on given subjects have been brought together. All this material is available to legislators who may wish to inform themselves either briefly or at more length on any subject."

Sincerely yours,

H. S. BRIDGES,  
*Governor.*

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time and referred as follows:

By Mr. Gale of Jackson, House Bill No. 67, An act relating to municipal lighting systems. To the Committee on Judiciary.

By Mr. Hart of Wolfeboro, House Bill No. 68, An act to encourage state and national industrial recovery. To the Committee on Judiciary.

By Mrs. Morris of Lancaster, House Bill No. 69, An act relating to trespasses and malicious injuries. To the Committee on Judiciary.

By Mr. Thompson of Lancaster, House Bill No. 70, An act legalizing the March and July town meetings of the town of Lancaster. To the Committee on Judiciary.

By Mr. Matott of Concord, House Bill No. 71, An act relating to the training of hunting dogs. To the Committee on Fisheries and Game.

By Mr. Keefe of Dover, House Bill No. 72, An act relative to recount of ballots after an election. To the Committee on Judiciary.

By Mr. Lefavour of Farmington, House Bill No. 73, An act legalizing the November election in the town of New Durham. To the Committee on Judiciary.

By Mr. Thompson of Lancaster, House Bill No. 74, An act authorizing the town of Lancaster to issue bonds. To the Committee on Judiciary.

By Mr. Matott of Concord, House Bill No. 75, An act to provide for additional facilities at the State Hospital. To the Committee on State Hospital.

By Mr. Sturtevant of Concord, House Bill No. 76, An act amending the charter of the city Concord.

Read a first and second time and laid upon the table to be printed. On motion of Mr. Sturtevant of Concord the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Concord.

By Mr. Lyford of Kingston, House Bill No. 77, An act to close Greenwood lake in the town of Kingston to ice fishing. To the Committee on Fisheries and Game.

By Mr. Henderson of Durham, House Bill No. 78, An act relating to the sale of eggs at retail, defining fresh eggs and requiring markings of size. To the Committee on Agriculture.

By Mr. Barrett of Portsmouth, House Bill No. 79, An act relating to the exemption of taxation of the Women's City Club of Portsmouth. To the Committee on Judiciary.

By Mr. Buckley of Portsmouth, House Bill No. 80, An act to amend the charter of the city of Portsmouth.

Read a first and second time and laid upon the table to be printed. On motion of Mrs. Dondero of Portsmouth the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Portsmouth.

By Mr. Keefe of Dover, House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties. To the Committee on Judiciary.

By Mr. Mercer of Peterborough, House Bill No. 82, An act relating to the water commissioners for the town of Peterborough. To the Committee on Judiciary.

By Mr. Plastridge of New Hampton, House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton. To the Committee on Public Improvements.

By Mr. Warren of Pembroke, House Joint Resolution No.



31, Joint resolution for the improvement of Sheep road in the city of Concord and town of Pembroke. To the Committee on Public Improvements.

By Mr. Cook of Rumney, House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney. To the Committee on Public Improvements.

By Mr. Buffum of Dunbarton, House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so called, in the town of Dunbarton. To the Committee on Public Improvements.

By Mr. Matott of Concord, House Joint Resolution No. 34, Joint resolution for improvements at the state hospital. To the Committee on State Hospital.

By Mr. Graham of Canaan, House Joint Resolution No. 35, Joint resolution for the improvement of the road leading from Canaan Center to the Lyme-Dorchester road in the towns of Canaan and Lyme. To the Committee on Public Improvements.

By Mr. Peever of Salem, House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls Crossing, near Rockingham park in Salem, to the Pelham town line and from Halls Crossing to the Methuen town line. To the Committee on Public Improvements.

By Mr. Adams of Londonderry, House Joint Resolution No. 37, Joint resolution for the building and improvement of the highway known as the Goffs Falls road in Londonderry. To the Committee on Public Improvements.

By Mrs. Mason of Berlin, House Joint Resolution No. 38, Joint resolution in favor of Rev. Henry C. Stallard of Berlin. To the Committee on Claims.

By Mr. Varney of Alton, House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton. To the Committee on Public Improvements.

By Mr. Putnam of Antrim, House Joint Resolution No. 40, Joint resolution for the improvement of the main road from

Antrim Center to the Franklin Pierce highway. To the Committee on Public Improvements.

By Mr. Tanner of Milton, House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road. To the Committee on Public Improvements.

By Mr. Leahy of Claremont, House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield. To the Committee on Public Improvements.

On motion of Mrs. Mason of Berlin the rules were suspended and the printing of House Joint Resolution No. 38, Joint resolution in favor of Rev. Henry C. Stallard of Berlin, was dispensed with.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following resolution, sent up from the House of Representatives:

*Resolved*, That section 13 of the joint rules of the House and Senate be amended by striking out in the third line the word "second" and inserting in place thereof the word "third" so that said section as amended shall read as follows:

13. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the Legislature after the third week of the session, unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two thirds of the whole number of members shall, on division taken, vote in favor thereof, and not otherwise.

At 11:50 o'clock the House took a recess until 2:55 o'clock.

(After recess)

The introduction of bills and joint resolutions was resumed and the following were severally introduced and read a first

and second time, laid upon the table to be printed, and referred as follows:

By Mr. Read of Plainfield, House Bill No. 83, An act relating to Cornish Toll bridge. To the Committee on Public Improvements.

By Mr. Cutting of Croydon, House Bill No. 84, An act changing the name of Long pond in the town of Croydon. To the Committee on Fisheries and Game.

By Mr. Matheson of Goffstown, House Bill No. 85, An act to close Gorham pond in the town of Dunbarton to ice fishing. To the Committee on Fisheries and Game.

By Mr. Weston of Milford, House Bill No. 86, An act to close Sunset lake in the town of Greenfield to ice fishing. To the Committee on Fisheries and Game.

By Mr. Warren of Pembroke, House Bill No. 87, An act to dissolve Upper Coos railroad. To the Committee on Transportation.

By Mr. Hart of Wolfeboro, House Bill No. 88, An act relating to the administration of the motor vehicle law. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Joint Resolution No. 43, Joint resolution for the improvement of a section of the Wellington road in the city of Manchester. To the Committee on Public Improvements.

By Mr. Mudge of Northwood, House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so called, from Northwood line to Lee line in the town of Nottingham. To the Committee on Public Improvements.

By Mr. Marston of North Hampton, House Joint Resolution No. 45, Joint resolution in favor of Little river in the town of North Hampton. To the Committee on Coastwise Improvements.

By Mr. Sawyer of Woodstock, House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton. To the Committee on Claims.

By Mr. Marston of North Hampton, House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton. To the Committee on Coastwise Improvements.

By Mr. Appleton of Dublin, House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin. To the Committee on Claims.

By Mr. Appleton of Dublin, House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford. To the Committee on Claims.

By Mr. Appleton of Dublin, House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington. To the Committee on Claims.

On motion of Mr. Cummings of Peterborough at 3:12 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Carroll of Laconia at 3:13 o'clock the House adjourned.

---

### THURSDAY, JANUARY 17, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

### LEAVES OF ABSENCE

Mr. Weston of Milford was granted leave of absence for today on account of attending a funeral.

### RESOLUTIONS

Mr. Keenan of Dover presented the following:

WHEREAS, This House has learned with deep sorrow of the death of Homer Foster Elder,

*Be it Resolved*, That we members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship; his record of devoted and faithful public service during three sessions of the New Hampshire General Court, and

*Be it further Resolved*, That the Clerk transmit a copy of these resolutions to the bereaved family.

THOMAS H. KEENAN,  
GEORGE W. GARLAND,  
SCOTT C. W. SIMPSON,  
WILLIAM J. CALLAHAN,  
F. CLYDE KEEFE.

The resolutions were unanimously adopted by a rising vote.

On motion of Mr. Nash of Conway:

*Resolved*, That the Speaker appoint a committee to draft resolutions on the death of the wife of Representative Callahan of Keene.

### COMMITTEE REPORTS

The following letter transmitting a report was read by the Speaker:

The House of Representatives

Concord

New Hampshire

*Gentlemen:*

Pursuant to the direction of Chapter 244 of the Session Laws of 1933 entitled: "Joint resolution providing for a commission to study the laws relative to fire protection and prevention", the special commission of three members, consisting of the Secretary of the New Hampshire Board of Fire Underwriters, one person appointed by the Governor and one person appointed by the New Hampshire Fire Chiefs' Club, having made a study and survey of the laws relative to the subject hereby makes a report of their findings and recommendations.

Yours very truly,

LOUIS CLARNER, JR.,

*Chairman.*

The commission appointed pursuant to Chapter 244, Session Laws of 1933, entitled "Joint resolution providing for a commission to study the laws relative to fire protection and prevention", hereby submits the following report and recommendations:



(1) That there is urgent need of a fire marshal for the State of New Hampshire is apparent, not only to the fire insurance companies themselves, but to boards of firewards and engineers who have the duty of extinguishing fires and investigating their cause. The old argument, calculated to invoke opposition, that the insurance companies are behind any measure designed to minimize losses, is entitled to very little consideration. Increased efficiency in fire departments tends to the same end, and the subject is one in which the general public ought to be vitally concerned. The fire insurance companies of the state are interested, and rightfully so, as every good citizen ought to be, in any constructive legislation calculated to protect property and punish wrongdoers who intentionally destroy it. It may or may not be possible to control a fire, and arson is one of the most despicable of crimes. It is invariably committed in the night time and the extent of the damage, and whether or not its toll will include innocent lives, is something that the instigator of such a fire cannot determine in advance.

It is true that fire insurance companies insure the property and pay the losses, but the subject goes much deeper. If to the sum total of innocent losses is to be added sufficient fraudulent losses to make the present premium rates inadequate, it is the public which must necessarily pay, to that extent, at least.

During the so-called depression, the fraudulent loss ratio has been high and although it necessarily follows that fewer incendiary fires occur in prosperous periods, nevertheless, experience has shown that, apart from general conditions, arson is on the increase for the simple reason that it pays.

As the automobile has made it difficult to apprehend the criminal, so have the developments in electricity and chemistry rendered it extremely difficult to obtain a conviction in an arson case. In the neighboring Commonwealth of Massachusetts, the office of fire marshal has, however, demonstrated its worth by the amazing results attained and the number of convictions resulting from its investigations.

(2) There is already sufficient law upon the statute books

relative to the protection of property against fires, together with ample authority to investigate their origin. The difficulty, however, lies in the fact that the enforcing boards and officials comprise the Insurance Commissioner, who is now over-burdened with duties of major importance, and boards of firewards and engineers of towns and cities, whose duties are to fight fires. The latter, while experienced and trained in their particular callings, are not expected to possess the necessary qualifications to cope with a shrewd arson suspect who has taken every precaution to avoid detection, and where the building is a total loss, the evidence is usually so far destroyed as to prevent detection, except through scientific means.

New Hampshire is far behind other states in the establishment of scientific police bureaus, whose sole object is the investigation of suspected arson cases. The question might be asked why the office of Attorney General and the solicitors of the several counties cannot perform this important work. The answer is that they must depend upon local police in large measure, or their own investigators, who are likewise men of limited experience in such matters. Arson may almost be said to be a specialized crime. If it is not such, then, indeed, its perpetrators are specially favored by the consequences of their acts; but the suspects are, for the most part, men mentally capable of planning and carrying out their designs to a successful conclusion. The physical evidence, following a fire, to the unpracticed eye, is merely a mass of debris. The average police officer, or detective, is not trained to discover in the mass of ruins those physical characteristics which point to arson. If a fire marshal's office is to be effective, the incumbent must be either specially trained, or adapted to research work and specialization in this special field of crime.

(3) There is no sense in further burdening the state with the office of fire marshal unless (a) the incumbent is fully qualified to undertake this special work; (b) his tenure of office is, at least, three years; and (c) he is given a sufficient appropriation to permit him to function efficiently. To enable the Governor and Council to secure the right man neces-

sitates, of course, a salary at which such a man might be procured.

(4) We believe that the first marshal should be appointed by the Governor and Council. He is bound to make enemies. For illustration: We will assume that there is but one real industry in a town, which employs all the able-bodied men desiring to work, and that this industry burns under circumstances pointing to the inevitable conclusion that the fire was of incendiary origin. If the owners should be convicted, it would probably mean the closing down of the factory indefinitely, resulting in irreparable loss to the town. If the insurance companies are forced to pay, it might be rebuilt. Undoubtedly, the townspeople would be public-spirited enough to want to see justice done and would aid the prosecution. It is, however, conceivable that political influence might be exerted to prevent prosecution for the so-called good of the community.

Therefore, the fire marshal should be removed as far as possible from such influence.

(5) The fire marshal could not, of course, be expected to investigate all fires. The duties of the firewards and engineers would remain the same as now, except that there would be one directing head in authority, whose personal responsibility would be to immediately investigate or cause to be investigated, with all the powers at his command, the circumstances of all fires of suspicious origin, and if, in his opinion, prosecution was called for, to prepare the cases for trial. He would, of course, have the power to summon witnesses and compel their attendance at all inquests he saw fit to hold.

He would constitute the supreme authority in the enforcement of the state laws pertaining to the prevention of fires, fire hazards, the storage, sale and use of combustibles and explosives, the safeguarding of persons and property from fires, or casualties resulting from fires and explosions, and the laws against arson and burning of property, as defined in Chapter 391 of the Public Laws and with respect to such enforcement, the board of firewards or engineers would be subject to his orders.

(6) It would necessarily take several years to perfect a

bureau comparable with those of other states, particularly in the West, or even in Massachusetts. We are satisfied, however, from our investigation, that the progressive results accomplished from the beginning would demonstrate the value to the state and to its property owners of such an office.

(7) The members of the commission, therefore, as the result of their investigation, experience and research, are presenting to the present legislature a bill, embodying what they consider the best features of the laws of several states which have created the office of fire marshal, and which they feel will dovetail with our needs, and respectfully ask your considerate judgment thereon.

Respectfully submitted,

J. B. EAMES,

LOUIS CLARNER, JR.

Sec'y, N. H. Board of Underwriters

CHAS. H. FRENCH,

for N. H. Fire Chiefs' Club

*Members of Commission.*

On motion of Mr. Barnard of Manchester the rules were suspended and the reading of the report dispensed with.

On motion of Mr. Barnard of Manchester:

*Resolved*, That the report of the commission appointed under Chapter 244 of the Laws of 1933 to study the laws relative to fire protection and prevention be laid upon the table and the clerk be directed to procure the usual number of printed copies.

Mr. Perley of Lebanon for the Committee on Judiciary to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Judiciary to whom was referred House Bill No. 3, An act legalizing the November election in the town of Bethlehem, reported the



same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Proceedings Legalized*. The votes and proceedings of the biennial election held on the sixth day of November, 1934, in the town of Bethlehem are hereby legalized, ratified and confirmed.

The report was accepted. On motion of Mr. Wilson of Manchester the reading of the amendment was dispensed with. On *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Judiciary to whom was referred House Bill No. 10, An act legalizing the November election in the town of Salem, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations to whom was referred House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in lines one and two the following "seventeen thousand three hundred and seven dollars (\$17,307)" and substituting therefor the following, thirty-four thousand six hundred and fourteen dollars (\$34,614); further amend by striking out in line five the word "April" and substituting in place therefor the word July, so that said joint resolution as amended shall read as follows: That the sum of thirty-four thousand six hundred and fourteen dollars (\$34,614) be and hereby is appropriated for the state board of public welfare to provide for the caring of the mothers previously receiving mothers' aid from funds of the relief administration. This appropriation shall be for the period of January first, 1935 to July first, 1935. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.



The report was accepted.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted. The joint resolution was then ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations to whom was referred House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns to-day it be to meet to-morrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Keefe of Dover, House Bill No. 89, An act relating to liens upon real estate. To the Committee on Judiciary.

By Mr. Janvrin of Hampton Falls, House Bill No. 90, An act relating to the supervision of electricians. To the Committee on Judiciary.

By Mr. Stevens of Brentwood, House Bill No. 91, An act authorizing the State of New Hampshire to take over a section of road in the town of Brentwood for the purpose of maintenance. To the Committee on Public Improvements.

By Mr. Keefe of Dover, House Bill No. 92, An act relating to the conduct of tax sales by collectors of taxes. To the Committee on Judiciary.

By Mr. Fowell of Nashua, House Bill No. 93, An act relating to the suspension or revocation of beer permits. To the Committee on Liquor Laws.

By Mr. Weston of Milford, House Bill No. 94, An act relating to motor vehicle trailers. To the Committee on Judiciary.

By Mr. Neal of Meredith, House Bill No. 95, An act to abolish the poll tax for women. To the Committee on Judiciary.

By Mr. Tucker of Portsmouth, House Bill No. 96, An act relating to liquor laws. To the Committee on Liquor Laws.

By Mr. Lambert of Manchester, House Bill No. 97, An act relating to the expiration of motor vehicle licenses. To the Committee on Judiciary.

By Mr. Lambert of Manchester, House Bill No. 98, An act relating to the expiration of hunting and fishing licenses. To the Committee on Fisheries and Game.

By Mr. Fowell of Nashua, House Bill No. 99, An act relating to reflectors on motor vehicles. To the Committee on Judiciary.

By Mr. Moran of Nashua, House Bill No. 100, An act relating to reduction in electrical rates in the State of New Hampshire. To the Committee on Judiciary.

By Mr. Wilson of Manchester, House Bill No. 101, An act relating to the duties of town tax collectors. To the Committee on Judiciary.

By Mr. Wylie of Concord, House Bill No. 102, An act relative to athletic exhibitions, abolishing the State Athletic Commission and appointing a State Athletic Commissioner. To the Committee on Judiciary.

By Mr. Gelinas of Farmington, House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington Village Precinct, on the 11th day of April, 1934, authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes. To the Committee on Judiciary.

By Mr. Graham of Canaan, House Bill No. 104, An act relating to hours of labor. To the Committee on Labor.

By Mr. Firmin of Fitzwilliam, House Bill No. 105, An act to check drunken driving. To the Committee on Judiciary.

By Mr. Granger of Swanzey, House Bill No. 106, An act

relative to licenses to hunt and fish. To the Committee on Fisheries and Game.

By Mr. Sullivan of Berlin, House Bill No. 107, An act relating to proceedings on certiorari. To the Committee on Judiciary.

By Mr. Hunter of Hanover, House Bill No. 108, An act relating to State planning and development. To the Committee on Judiciary.

By Mr. Cote of Manchester, House Bill No. 109, An act relating to the sale of liquor. To the Committee on Liquor Laws.

By Mr. Barnard of Manchester, House Bill No. 110, An act relating to firewards, firemen and fire hazards. To the Committee on Judiciary.

By Mr. Wilson of Manchester, House Bill No. 111, An act in relation to tax collectors. To the Committee on Judiciary.

By Mr. Mansur of Concord, House Bill No. 112, An act relating to pari-mutuel pools. To the Committee on Judiciary.

By Mr. Hanson of Gilsum, House Bill No. 113, An act relating to weight of motor vehicles. To the Committee on Judiciary.

By Mr. Perley of Lebanon, House Bill No. 114, An act providing for emergency relief of unemployment in the State of New Hampshire by highway work. To the Committee on Judiciary.

By Mr. Neal of Meredith, House Bill No. 115, An act relating to Meredith Neck road. To the Committee on Public Improvements.

By Mr. Osborne of Sunapee, House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury. To the Committee on Public Improvements.

By Mr. Young of Wakefield, House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield. To the Committee on Public Improvements.

By Mr. Graham of Canaan, House Joint Resolution No. 53, Joint resolution relating to employment of residents of New Hampshire on state work. To the Committee on Judiciary.

By Mr. Sullivan of Berlin, House Joint Resolution No. 54, Joint resolution in favor of Peter LaJoie. To the Committee on Claims.

By Mr. Marden of Holderness, House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness. To the Committee on Claims.

By Mr. Hunter of Hanover, House Bill No. 116, An act to provide for city, town, village district and regional planning boards. To the Committee on Judiciary.

By Mr. Adams of Seabrook, House Bill No. 117, An act relating to traps and snares. To the Committee on Fisheries and Game.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 24, Joint resolution relating to the United States Veterans Bureau administration facilities in Manchester, New Hampshire.

On motion of Mr. Ahern of Concord the order whereby House Bill No. 50, An act relating to nuisances, was referred to the Committee on Revision of the Statutes was vacated and the bill referred to the Committee on Public Health.

On motion of Mr. VanVliet of Manchester business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Henderson of Durham the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Wilson of Manchester, at 12:21 o'clock the House adjourned.

---

FRIDAY, JANUARY 18, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 18, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the House adjourned.

---

MONDAY, JANUARY 21, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 21, 1935.

Mr. Harry A. Goodwin

Bethlehem, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*



On motion of Mr. Maxham of Concord at 7:31 o'clock the House adjourned.

---

TUESDAY, JANUARY 22, 1935.

The House met at 11:00 o'clock.

Prayer was offered by the Rev. Clarence B. Etsler of Claremont.

LEAVE OF ABSENCE

Mr. Sawyer of Woodstock was granted leave of absence for Tuesday and Wednesday on account of illness.

COMMITTEE REPORTS

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 38, An act to amend the charter of Masonic Home, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out the whole of said resolution and inserting in place thereof the following: That the Governor, with the advice and consent of the Council, is hereby authorized and directed to appoint seven persons to constitute a committee to study the problem of the revision of public utility laws of this State, and other laws affecting the powers and jurisdiction of the Public Service Commission. Said committee shall report to this session of the Legislature its findings and recommendations as to the expediency of making changes in said laws. The members of said committee shall serve without compensation but shall be allowed their actual expenses while engaged in the work of said committee to be approved by the Governor and Coun-

eil. For the purpose of carrying into effect the purposes hereof the Governor is hereby authorized to draw his warrant for such sum as may be so approved out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

(Mr. Leahy of Claremont in the chair)

By Mr. Brackett of Greenland, House Bill No. 118, An act relating to state employment. To the Committee on Labor.

By Mr. Brackett of Greenland, House Bill No. 119, An act adding the Bible to the public school curriculum. To the Committee on Education.

By Mr. Brackett of Greenland, House Bill No. 120, An act relative to rights and qualifications of voters. To the Committee on Revision of the Statutes.

By Mr. Brackett of Greenland, House Bill No. 121, An act relating to employment of married women. To the Committee on Labor.

By Mr. Hoyt of Sandwich, House Bill No. 122, An act to regulate employment on trunk line and state aid repair work. To the Committee on Public Improvements.

By Mr. Hoyt of Sandwich, House Bill No. 123, An act to strengthen the law relating to standard time. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 124, An act relating to suspended sentences. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 125, An act to permit savings banks to establish life insurance departments. To the Committee on Banks.

By Mr. Jones of Lebanon, House Bill No. 126, An act relating to fees of sheriffs and deputies. To the Committee on Revision of the Statutes.

By Mr. Jones of Lebanon, House Bill No. 127, An act providing for an appeal from the decisions of the motor vehicle commissioner. To the Committee on Judiciary.

By Mr. Gordon of Meredith, House Bill No. 128, An act to prevent fraudulent signing for liquor. To the Committee on Liquor Laws.

By Mr. Jones of Lebanon, House Bill No. 129, An act to prohibit the parking of motor vehicles on public highways without lights. To the Committee on Judiciary.

By Mr. Matott of Concord, House Bill No. 130, An act reducing the hours of labor of employees in state institutions. To the Committee on Labor.

By Mr. Keefe of Dover, House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia Notch. To the Committee on Judiciary.

By Mr. Freeman of Concord, House Bill No. 132, An act for the regulation of small loans. To the Committee on Judiciary.

By Mr. Betley of Manchester, House Bill No. 133, An act relating to injunctions in labor disputes. To the Committee on Labor.

By Mr. Blood of Concord, House Bill No. 134, An act relating to the practice of dentistry. To the Committee on Public Health.

By Mr. Sanderson of Pittsfield, House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors. To the Committee on Judiciary.

By Mr. O'Brien of Manchester, House Bill No. 136, An act establishing a commission to raise additional revenue for the state and the cities and towns thereof. To the Committee on Ways and Means.

By Mr. Brackett of Greenland, House Bill No. 137, An act relating to incompatibility of officers in towns. To the Committee on Judiciary.

By Mr. Lefavour of Farmington, House Bill No. 138, An act relating to choice, qualification of supervisors of the

check list and check lists. To the Committee on Revision of the Statutes.

By Mr. Wadleigh of Milford, House Bill No. 139, An act relative to bonds for collection agencies. To the Committee on Judiciary.

By Mr. Pierce of Bennington, House Bill No. 140, An act relating to primary elections and nomination of candidates. To the Committee on Judiciary.

By Mr. O'Brien of Manchester, House Bill No. 141, An act relative to labor for highway work. To the Committee on Labor.

By Mr. Putnam of Hanover, House Bill No. 142, An act relating to the duties of selectmen in warning town-meeting. To the Committee on Revision of the Statutes.

By Mr. Williams of Grafton, House Bill No. 143, An act relating to municipal finances. To the Committee on Judiciary.

By Mr. Bean of Franklin, House Bill No. 144, An act regarding the weekly payment of wages. To the Committee on Labor.

By Mr. Remick of Bristol, House Bill No. 145, An act authorizing the state of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance. To the Committee on Public Improvements.

By Mr. Dickinson of Rochester, House Bill No. 146, An act relating to primary elections. To the Committee on Revision of the Statutes.

By Mr. Henderson of Berlin, House Bill No. 147, An act regarding lien on real estate. To the Committee on Judiciary.

By Mr. Sullivan of Berlin, House Bill No. 148, An act having reference to the homestead right. To the Committee on Revision of the Statutes.

By Mr. Sullivan of Berlin, House Bill No. 149, An act having reference to personal property in unorganized places. To the Committee on Revision of the Statutes.

By Mr. Craine of Hillsborough, House Bill No. 150, An

act relating to workmen's compensation. To the Committee on Labor.

By Mr. Emerson of Washington, House Bill No. 151, An act to open Long pond in the towns of Washington and Stoddard to ice fishing. To the Committee on Fisheries and Game.

By Mr. Emerson of Washington, House Bill No. 152, An act relating to the deer season in Sullivan county. To the Committee on Fisheries and Game.

By Mr. Dame of Concord, House Bill No. 153, An act to provide for liens in favor of hospitals furnishing care, treatment, and maintenance of persons injured in accidents upon the rights of action. To the Committee on Judiciary.

By Mr. Appleton of Dublin, House Bill No. 154, An act relating to overseers of the poor. To the Committee on Revision of the Statutes.

By Mr. Mudge of Northwood, House Bill No. 155, An act to prevent the illegal collection of fees. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 156, An act relating to military drill in school districts. To the Committee on Military Affairs.

By Mr. Soucy of Manchester, House Bill No. 157, An act relative to the number of state liquor stores to be operated by the state liquor commission. To the Committee on Liquor Laws.

By Mr. Soucy of Manchester, House Bill No. 158, An act relative to rules as to hours of sale of beer and other beverages. To the Committee on Liquor Laws.

By Mr. Reardon of Boscawen, House Bill No. 159, An act relating to the reimbursement of state officials for liability insurance. To the Committee on Revision of the Statutes.

By Mr. Graf of Manchester, House Bill No. 160, An act to divide the town of Hampton and to constitute the town of Hampton Beach.

On motion of Mr. Adams of Seabrook the rules were suspended and the bill referred to a special committee consisting of the delegation from the county of Rockingham.



By Mr. Graf of Manchester, House Bill No. 161, An act relating to the practice of law. To the Committee on Judiciary.

By Mr. Blake of Concord, House Bill No. 162, An act relating to foreign insurance companies and their agents. To the Committee on Insurance.

By Mr. Wilson of Manchester, House Bill No. 163, An act granting consent to the acquisition of land by the United States of America. To the Committee on Judiciary.

By Mr. Henderson of Durham, House Bill No. 164, An act relating to the bridge over Little bay. To the Committee on Public Improvements.

By Mr. Lewis of Littleton, House Bill No. 165, An act relating to the terms of the probate court for the county of Grafton. To the Committee on Judiciary.

By Mr. Perley of Lebanon, House Bill No. 166, An act relating to the weight and length of motor vehicles. To the Committee on Judiciary.

By Mr. Perley of Lebanon, House Bill No. 167, An act to provide for reciprocal privileges in the registration and operation of motor vehicles. To the Committee on Judiciary.

By Mrs. Morris of Lancaster, House Bill No. 168, An act relative to the staff of the Public Library Commission. To the Committee on Judiciary.

By Mr. Sturtevant of Concord, House Bill No. 169, An act to provide for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws. To the Committee on Judiciary.

By Mr. Mudge of Northwood, House Bill No. 170, An act relating to the collection of taxes from persons furnished work by towns, cities or the state. To the Committee on Judiciary.

By Mr. Davis of Conway, House Bill No. 171, An act relative to acquisition of dams by the state. To the Committee on Judiciary.

By Mr. Cloues of Warner, House Bill No. 172, An act relating to a bounty on woodchucks. To the Committee on Fisheries and Game.

By Mr. Cote of Manchester, House Bill No. 173, An act relative to size of bottles to be used in selling liquor. To the Committee on Liquor Laws.

By Mr. Hathorn of Lebanon, House Bill No. 174, An act providing for licensing of persons engaged in motor vehicle repair. To the Committee on Judiciary.

By Mr. Legassie of Lincoln, House Bill No. 175, An act providing for assistance to aged and dependent persons. To the Committee on Judiciary.

By Mr. Legassie of Lincoln, House Bill No. 176, An act relating to workmen's compensation. To the Committee on Labor.

By Mr. Mahoney of Manchester, House Bill No. 177, An act regarding one day of rest in seven. To the Committee on Labor.

By Mr. Adams of Londonderry, House Bill No. 178, An act constituting a State police force. To the Committee on Judiciary.

By Mr. Nash of Concord, House Bill No. 179, An act to regulate speed of motor vehicles upon the highway. To the Committee on Judiciary.

By Mr. Carlton of Fremont, House Bill No. 180, An act relating to old age assistance. To the Committee on Judiciary.

By Mr. Jones of Lebanon, House Bill No. 181, An act relating to rules and regulations of the liquor laws. To the Committee on Liquor Laws.

By Mr. Boutwell of Concord, House Bill No. 182, An act to provide uniform standards for weight and size of motor vehicles. To the Committee on Judiciary.

By Mr. Keefe of Dover, House Bill No. 183, An act providing for the litigation of small claims. To the Committee on Judiciary.

By Mr. Keefe of Dover, House Bill No. 184, An act increasing the civil jurisdiction of Justices of the Peace. To the Committee on Judiciary.

By Mr. Hoyt of Laconia, House Joint Resolution No. 56,

Joint resolution in favor of Joseph Lettre of Laconia. To the Committee on Claims.

By Mr. Eliot of Raymond, House Joint Resolution No. 57, Joint resolution in favor of the town of Raymond. To the Committee on Claims.

By Mr. Reid of Litchfield, House Joint Resolution No. 58, Joint resolution for the completion of the North Derry road, so-called, in the town of Litchfield. To the Committee on Public Improvements.

By Miss Emerson of Windham, House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham. To the Committee on Public Improvements.

By Mr. Hoyt of Sandwich, House Joint Resolution No. 60, Joint resolution to promote agricultural fairs. To the Committee on Agriculture.

By Mr. Emerson of Washington, House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington. To the Committee on Public Improvements.

By Mr. Sullivan of Berlin, House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford. To the Committee on Claims.

By Mr. Floyd of South Hampton, House Joint Resolution No. 63, Joint resolution for the improvement and completion of the Chase road, so-called, in the town of South Hampton. To the Committee on Public Improvements.

By Mr. Foss of East Kingston, House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston. To the Committee on Public Improvements.

By Mr. Jones of Pelham, House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham. To the Committee on Public Improvements.

By Mr. Dagan of Auburn, House Joint Resolution No. 66, Joint resolution for the improvement of a road in Auburn. To the Committee on Public Improvements.

By Mr. Piper of Belmont, House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in

the town of Belmont. To the Committee on Public Improvements.

By Mr. Page of Gilmanton, House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton. To the Committee on Public Improvements.

By Mr. Crowell of Hancock, House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs. To the Committee on Appropriations.

By Mr. Guyer of Hanover, House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river. To the Committee on Appropriations.

By Mr. Remick of Bristol, House Joint Resolution No. 71, Joint resolution relating to bridge over Smith's river between towns of Bristol and Hill. To the Committee on Public Improvements.

By Mr. Coakley of Concord, House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons. To the Committee on Liquor Laws.

By Mr. Heald of Wilton, House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton. To the Committee on Public Improvements.

By Mr. Little of Barnstead, House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead. To the Committee on Public Improvements.

By Mr. Peaslee of Weare, House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare. To the Committee on Public Improvements.

By Mr. Nash of Concord, House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts. To the Committee on Claims.

By Mr. Lyman of Madison, House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and



Eaton at Madison. To the Committee on Public Improvements.

By Mr. Davis of Conway, House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway. To the Committee on Public Improvements.

By Mr. Averill of Warren, House Joint Resolution No. 79, Joint resolution for the improvement of the Breezy Point road in the town of Warren. To the Committee on Public Improvements.

By Mr. Howard of Wilmot, House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge Mt. road in Wilmot. To the Committee on Public Improvements.

(The Speaker in the chair)

#### COMMITTEE APPOINTED

The Speaker appointed as members of a committee to prepare resolutions on the death of the wife of Representative William J. Callahan of Keene Messrs. Nash, Lee, and Tilton of Concord, Wadleigh of Milford, and Keefe of Dover.

The Speaker announced the appointment of Robert W. Pingree of Berlin as reading clerk.

At 12:05 o'clock the House took a recess for two hours.

(After recess)

The introduction of bills and joint resolutions was resumed.

By Mr. Stevenson of Exeter, House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

Read a first and second time and laid upon the table to be printed.

On motion of Mr. Stevenson of Exeter the rules were suspended and the bill referred to a special committee consisting of the delegation from the county of Rockingham.

By Mr. Callahan of Keene, House Bill No. 186, An act relating to the taking of game. To the Committee on Fisheries and Game.

By Mr. Moran of Manchester, House Bill No. 187, An act



providing for a lunch period for women and minors. To the Committee on Labor.

By Mr. Cook of Rumney, House Bill No. 188, An act relative to issuance to minors of licenses to operate motor vehicles. To the Committee on Judiciary.

By Mr. Goodwin of Hudson, House Bill No. 189, An act relating to the terms used in the liquor laws. To the Committee on Liquor Laws.

By Mr. Goodwin of Hudson, House Bill No. 190, An act relating to the terms used in the beverage laws. To the Committee on Liquor Laws.

By Mr. O'Brien of Manchester, House Bill No. 191, An act regarding hours of labor. To the Committee on Labor.

By Mr. Shea of Keene, House Bill No. 192, An act relating to amendments to workmen's compensation. To the Committee on Labor.

By Mr. Cartier of Rochester, House Bill No. 193, An act relating to old age assistance. To the Committee on Judiciary.

By Mr. Buffum of Dunbarton, House Bill No. 194, An act relative to the term of county commissioners. To the Committee on Revision of the Statutes.

By Mr. Blood of Concord, House Bill No. 195, An act relating to licenses for sanitarium. To the Committee on Public Health.

By Mr. Blood of Concord, House Bill No. 196, An act relating to the administration of anesthetics. To the Committee on Public Health.

By Mr. Millen of Lebanon, House Bill No. 197, An act relating to fishing licenses for residents of this state. To the Committee on Fisheries and Game.

By Mr. Fitzgerald of Manchester, House Bill No. 198, An act relating to construction and repair of state buildings. To the Committee on Labor.

By Mr. O'Reilly of Manchester, House Bill No. 199, An act relative to the relation between insurance agents and their companies. To the Committee on Insurance.

By Mr. Goodwin of Bethlehem, House Bill No. 200, An act

relating to bear. To the Committee on Fisheries and Game.

By Mr. Wylie of Concord, House Bill No. 201, An act relating to the incompatibility of certain offices. To the Committee on Judiciary.

By Mr. Goodwin of Bethlehem, House Bill No. 202, An act relating to trapping of bear. To the Committee on Fisheries and Game.

By Mr. Clark of Harrisville, House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond. To the Committee on Fisheries and Game.

By Mr. Malloy of Nashua, House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation. To the Committee on Incorporations.

By Mr. Matott of Concord, House Bill No. 205, An act relating to conservation of fox and raccoon. To the Committee on Fisheries and Game.

By Mr. Lariviere of Manchester, House Bill No. 206, An act relating to contracts for state buildings and highways. To the Committee on Labor.

By Mr. Barnard of Manchester, House Bill No. 207, An act relating to the purity of elections. To the Committee on Judiciary.

By Mr. Neal of Meredith, House Bill No. 208, An act relating to the license fees for registration of motor vehicles. To the Committee on Transportation.

By Mr. Appleton of Dublin, House Bill No. 209, An act relating to Laconia State School. To the Committee on Laconia State School.

By Mr. Lefavour of Farmington, House Bill No. 210, An act relating to carriers of property for hire on the public highways. To the Committee on Transportation.

By Mr. Hodsdon of Somersworth, House Bill No. 211, An act relating to fees of county officials. To the Committee on Judiciary.

By Mr. Daly of Claremont, House Bill No. 212, An act relating to club licenses. To the Committee on Liquor Laws.

By Mrs. Bixby of Berlin, House Bill No. 213, An act relat-

ing to the sale of certain alcoholic beverages. To the Committee on Liquor Laws.

By Mr. Fowell of Nashua, House Bill No. 214, An act amending the charter of the city of Nashua.

Read a first and second time and laid upon the table to be printed.

On motion of Mr. Fowell of Nashua the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Nashua.

By Mr. Dickinson of Rochester, House Bill No. 215, An act relating to school teachers. To the Committee on Education.

By Mr. Martel of Berlin, House Bill No. 216, An act providing for the improvement of a highway from Gorham Upper Village, so-called, to Berlin. To the Committee on Public Improvements.

By Mr. Hepworth of Derry, House Joint Resolution No. 81, Joint resolution in favor of Harriet Crafts of Derry. To the Committee on Claims.

By Mr. Elliott of Madbury, House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury. To the Committee on Public Improvements.

By Mr. Chandler of Francestown, House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown. To the Committee on Public Improvements.

By Mr. Perley of Lebanon, House Joint Resolution No. 84, Joint resolution in favor of Arthur Donald Sloan. To the Committee on Claims.

By Mr. Cummings of Peterborough, House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough. To the Committee on Public Improvements.

By Mr. Davis of Conway, House Joint Resolution No. 86, Joint resolution memorializing the use of granite in the construction of federal buildings and public works. To the Committee on Public Improvements.

By Mr. Cantin of Laconia, House Bill No. 217, An act to provide a method of licensing retail outlets maintained in the

state of New Hampshire by foreign owned corporations. To the Committee on Judiciary.

By Miss Myler of Berlin, House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations. To the Committee on Judiciary.

By Mr. Mansur of Concord, House Bill No. 219, An act relating to lines of telegraph and other companies in highways. To the Committee on Revision of the Statutes.

By Mr. Perley of Lebanon, House Bill No. 220, An act relating to diseases of domestic animals. To the Committee on Agriculture.

By Mr. Wardwell of Keene, House Bill No. 221, An act relating to transportation of members of the legislature. To the Committee on Transportation.

By Mr. Gage of Manchester, House Bill No. 222, An act relating to taking beer licenses from restaurants. To the Committee on Liquor Laws.

By Mr. Pray of Portsmouth, House Bill No. 223, An act to exempt from taxation property owned by the Warner House Association of Portsmouth. To the Committee on Judiciary.

By Mr. Barton of Lempster, House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity. To the Committee on Public Improvements.

By Mr. Tighe of Rollinsford, House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford. To the Committee on Public Improvements.

By Mr. Parker of Lisbon, House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey. To the Committee on Claims.

By Mr. Weeks of Tamworth, House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth. To the Committee on Public Improvements.

By Mr. Weeks of Tamworth, House Joint Resolution No. 91, Joint resolution for the improvement of a road in Tamworth. To the Committee on Public Improvements.

By Mr. Foss of East Kingston, House Joint Resolution No. 92, Joint resolution in favor of Bernard Merrick of East Kingston. To the Committee on Claims.



By Mr. Barton of Lempster, House Joint Resolution No. 93, Joint resolution for the improvement of a road in Lempster. To the Committee on Public Improvements.

By Mr. Scruggs of Haverhill, House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 225, An act relating to levy of executions on real estate. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 226, An act relating to plumbing and the licensing of plumbers. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 227, An act relating to grade crossings. To the Committee on Judiciary.

By Mrs. Charois of Greenville, House Bill No. 228, An act relating to permits to operate motor vehicles. To the Committee on Judiciary.

By Mr. Moran of Nashua, House Bill No. 229, An act establishing a teachers' retirement system. To the Committee on Education.

By Mr. Marden of Holderness, House Bill No. 230, An act to forfeit automobiles for illegal transportation of liquor. To the Committee on Judiciary.

By Mr. Saltmarsh of Concord, House Bill No. 231, An act relating to native home industries. To the Committee on Judiciary.

By Mr. Mitchell of Campton, House Joint Resolution No. 94, Joint resolution providing for an investigation into public expenditures. To the Committee on Judiciary.

By Mr. Stevens of Brentwood, House Joint Resolution No. 95, Joint resolution for the improvement of the South road, so-called, in the town of Brentwood. To the Committee on Public Improvements.

By Mr. Lyford of Kingston, House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston. To the Committee on Public Improvements.



By Mrs. Mason of Berlin, House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll. To the Committee on Claims.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 3, Joint resolution making appropriations for fish and game exhibits.

#### RESOLUTIONS

On motion of Mr. Neal of Meredith,

*Resolved*, That the membership of the Committee on Agriculture be increased by two.

On motion of Mr. Cote of Manchester,

*Resolved*, That the Clerk be instructed to procure 500 additional copies of House Bill No. 34, An act to regulate the practice of barbering.

On motion of Mr. Moran of Nashua,

*Resolved*, That the clerk be instructed to procure 1,000 additional copies of House Bill No. 100, An act reducing electrical rates in the state of New Hampshire.

On motion of Mr. Neal of Meredith,

*Resolved*, That the order whereby House Bill No. 114, An act providing for emergency relief of unemployment in the state of New Hampshire by highway work, was referred to the Committee on Judiciary be vacated and the bill be referred to the Committee on Public Improvements.

On motion of Mr. Hart of Wolfboro,

*Resolved*, That the clerk procure 500 additional copies of

House Bill No. 4, An act to control the distribution and sale of milk.

At 2:51 o'clock the House took a recess.

(After recess)

The introduction of bills and joint resolutions was resumed.

By Mr. Pray of Portsmouth, House Bill No. 223, An act to exempt from taxation property owned by the Warner House Association of Portsmouth. To the Committee on Judiciary.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 3, Joint resolution making appropriation for fish and game exhibits.

Read a first and second time and referred to the Committee on Fisheries and Game.

By Mr. Scruggs of Haverhill, House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes. To the Committee on Judiciary.

On motion of Mr. Davis of Conway,

*Resolved*, That the rules of the House be so far suspended that the order whereby House Joint Resolution No. 86 was referred to the Committee on Public Improvements be vacated, that the printing of the bill and its reference to committee be dispensed with, and the resolution put upon its third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

By Mr. Graf of Manchester, House Bill No. 225, An act relating to levy of executions on real estate. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 226, An act relating to plumbing and the licensing of plumbers. To the Committee on Judiciary.

By Mr. Graf of Manchester, House Bill No. 227, An act relating to grade crossings. To the Committee on Judiciary.

By Mrs. Charois of Greenville, House Bill No. 228, An act relating to permits to operate motor vehicles. To the Committee on Judiciary.

By Mr. Moran of Nashua, House Bill No. 229, An act establishing a teachers' retirement system. To the Committee on Education.

By Mr. Marden of Holderness, House Bill No. 230, An act to forfeit automobiles for illegal transportation of liquor. To the Committee on Judiciary.

By Mr. Saltmarsh of Concord, House Bill No. 231, An act relating to native home industries. To the Committee on Judiciary.

The House took a recess.

(After recess)

The introduction of bills and joint resolutions was resumed.

By Mr. Judd of Pittsburg, House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg. To the Committee on Claims.

By Mr. Hunter of Hanover, House Joint Resolution No. 99, Joint resolution making an appropriation for state advertising. To the Committee on Appropriations.

By Mr. Graham of Canaan, House Joint Resolution No. 100, Joint resolution for the construction of a state highway in the town of Canaan. To the Committee on Public Improvements.

By Mr. Huntley of Marlow, House Joint Resolution No. 101, Joint resolution in favor of Frank H. Whippie. To the Committee on Claims.

By Mr. Beane of Laconia, House Joint Resolution No. 102, Joint resolution in favor of Joseph W. Lettre. To the Committee on Claims.

By Mr. Banfield of Moultonborough, House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough. To the Committee on Public Improvements.

By Mr. Styles of Dummer, House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer. To the Committee on Public Improvements.

By Mr. Winkley of Ossipee, House Joint Resolution No. 105, Joint resolution for the improvement of the Water Vil-

lage road in the town of Ossipee. To the Committee on Public Improvements.

By Mr. Graves of Walpole, House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole. To the Committee on Public Improvements.

By Mr. Reardon of Boscawen, House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen. To the Committee on Public Improvements.

By Mr. Betley of Manchester, House Joint Resolution No. 108, Joint resolution in favor of Herbert C. Trenoweth of Manchester. To the Committee on Claims.

By Mr. Appleton of Dublin, House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin. To the Committee on Public Improvements.

By Mr. Keyser of Haverhill, House Joint Resolution No. 110, Joint resolution for the improvement of a road in Haverhill. To the Committee on Public Improvements.

By Mr. McDonough of Dover, House Joint Resolution No. 111, Joint resolution to compensate unseated members. To the Committee on Claims.

By Mr. Graham of Canaan, House Joint Resolution No. 112, Joint resolution to reimburse the town of Canaan for cows whose deaths were caused by rabid dogs. To the Committee on Claims.

By Mr. Munroe, House Bill No. 232, An act relating to the First Congregational Church of Hill, New Hampshire, Inc. To the Committee on Judiciary.

By Mr. Monroe of Andover, House Bill No. 233, An act relative to the use of the Australian ballot system in towns. To the Committee on Judiciary.

By Mr. Perley of Lebanon, House Bill No. 234, An act to be known as the Municipal Budget Act. To the Committee on Judiciary.

By Mr. Beane of Laconia, House Bill No. 235, An act prohibiting the discharge of sewage and other wastes into Lakes

Winnisquam and Opechee and providing for the construction of sewage treatment plants. To the Committee on Public Health.

By Mr. Piper of Franklin, House Bill No. 236, An act relating to fish and game advisory board. To the Committee on Fisheries and Game.

By Mr. Sturtevant of Concord, House Bill No. 237, An act relating to operation of motor vehicles in this state by non-residents. To the Committee on Judiciary.

By Mr. Leahy of Claremont, House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags. To the Committee on Judiciary.

By Mr. Graham of Canaan, House Bill No. 239, An act relating to rabies among domestic animals. To the Committee on Agriculture.

By Mr. Graham of Canaan, House Bill No. 240, An act relating to motor vehicles. To the Committee on Judiciary.

By Mr. Howard of Dover, House Bill No. 241, An act relating to an act to provide funds for the construction, reconstruction and repair of highways, bridges and culverts throughout the state damaged or destroyed during the flood of November, 1927. To the Committee on Public Improvements.

By Mr. Cartier of Rochester, House Bill No. 242, An act providing for a constitutional convention. To the Committee on Judiciary.

By Mr. Martel of Berlin, House Bill No. 243, An act relating to on-sale permit fees. To the Committee on Liquor Laws.

By Mr. Banfield of Moultonborough, House Bill No. 244, An act annexing certain islands in Lake Winnepesaukee to the town of Moultonborough. To the Committee on Towns and Counties.

By Mrs. Brungot of Berlin, House Bill No. 245, An act relating to transportation of the general court. To the Committee on Transportation.

By Mr. McDonough of Dover, House Bill No. 246, An act



relating to exemption from trustee process. To the Committee on Revision of the Statutes.

By Mr. Brackett of Greenland, House Bill No. 247, An act relating to supervisory unions. To the Committee on Education.

By Mr. Ladouceur of Manchester, House Bill No. 248, An act relative to horse racing and pari-mutuel pools. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 249, An act relating to service of process on the Motor Vehicle Commissioner. To the Committee on Judiciary.

By Mr. Barnard of Manchester, House Bill No. 250, An act relating to the service of process on the Insurance Commissioner. To the Committee on Judiciary.

By Mr. Pillsbury of Derry, House Bill No. 251, An act relative to the payment of wages. To the Committee on Labor.

By Mr. Barnard of Manchester, House Bill No. 252, An act relating to service of process upon dealers in securities. To the Committee on Revision of the Statutes.

By Mr. Dickinson of Rochester, House Bill No. 253, An act relating to financial aid in the purchase of automobiles. To the Committee on Judiciary.

By Mr. Gallagher of Manchester, House Bill No. 254, An act relating to the membership of the examining board for plumbers. To the Committee on Judiciary.

By Mr. McDonough of Dover, House Bill No. 255, An act relating to local option and the traffic in intoxicating liquor. To the Committee on Liquor Laws.

By Mr. Nash of Concord, House Bill No. 256, An act relative to brands for bottles and other containers. To the Committee on Liquor Laws.

By Mr. Dagan of Auburn, House Bill No. 257, An act relating to charges by electric light companies. To the Committee on Judiciary.

By Mr. Graves of Walpole, House Bill No. 258, An act creating a New Hampshire Bridle Path Commission. To the Committee on Judiciary.

By Mr. Betley of Manchester, House Bill No. 259, An act

relating to interest on loans. To the Committee on Judiciary.

By Mr. Cartier of Rochester, House Bill No. 260, An act relating to the regulation of small loans. To the Committee on Judiciary.

By Mr. Betley of Manchester, House Bill No. 261, An act relating to regulation of traffic in intoxicating liquor. To the Committee on Liquor Laws.

By Mr. Durkin of Dover, House Bill No. 262, An act relating to the rights and qualifications of voters. To the Committee on Revision of the Statutes.

By Mr. Bagley of Berlin, House Bill No. 263, An act relating to the taking of fox and raccoon. To the Committee on Fisheries and Game.

By Mr. McDonough of Dover, House Bill No. 264, An act relating to operation of motor vehicles. To the Committee on Judiciary.

By Mr. McDonough of Dover, House Bill No. 265, An act relating to jurors. To the Committee on Judiciary.

By Mr. Gelinas of Manchester, House Bill No. 266, An act authorizing cities and towns to license and regulate the cleaning and dyeing industry. To the Committee on Revision of the Statutes.

By Mr. McDonough of Dover, House Bill No. 267, An act relating to the selection of jurors. To the Committee on Judiciary.

By Mr. Winkley of Ossipee, House Bill No. 268, An act relating to the taking of pickerel. To the Committee on Fisheries and Game.

By Mr. Lyman of Madison, House Bill No. 269, An act relating to the taking of pickerel. To the Committee on Fisheries and Game.

By Mr. Tilton of Concord, House Bill No. 270, An act relating to the practice of chiropody. To the Committee on Public Health.

By Mr. Winkley of Ossipee, House Bill No. 271, An act to close Canaan and Bodge brooks in the town of Tuftonboro,

indefinitely, to any fishing. To the Committee on Fisheries and Game.

By Mr. Durkin of Dover, House Bill No. 272, An act relating to the establishment of a branch office of the Motor Vehicle Commissioner at Dover. To the Committee on Judiciary.

By Mr. Bolton of Manchester, House Bill No. 273, An act relating to horse racing and pari-mutuel pools. To the Committee on Judiciary.

By Mr. Cartier of Rochester, House Bill No. 274, An act authorizing the laying out of a state highway in the city of Rochester. To the Committee on Public Improvements.

By Mr. Burque of Nashua, House Bill No. 275, An act relating to the practice of pharmacy and the sale of drugs. To the Committee on Public Health.

By Mr. Gaudreault of Manchester, Ward 10, House Bill No. 276, An act relating to horse racing and the licensing of bookmakers. To the Committee on Judiciary.

By Mr. Dempsey of Franklin, House Bill No. 277, An act to conserve game. To the Committee on Fisheries and Game.

By Mr. Kimball of Hinsdale, House Bill No. 278, An act establishing a trunk line highway from Hinsdale to Westmoreland. To the Committee on Public Improvements.

By Mr. Bernard of Nashua, House Bill No. 279, An act relating to compulsory motor vehicle liability insurance. To the Committee on Judiciary.

By Mr. Barry of Nashua, House Bill No. 280, An act relating to motor vehicles. To the Committee on Judiciary.

By Mr. Moran of Manchester, House Bill No. 281, An act relating to toilet facilities in restaurants. To the Committee on Public Health.

By Mr. Tanner of Milton, House Bill No. 282, An act relating to rights of voters. To the Committee on Judiciary.

The following communication was received from His Excellency the Governor:

I hereby certify that I administered the oath of office to Forrest W. Hall, Ward 2, Keene, in the Elliott Community Hospital, Keene, on January 18, 1935.

H. STYLES BRIDGES,  
*Governor.*

During the session representative Willie N. Judd of Pittsburg having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

On motion of Mr. Henderson of Durham at 7:26 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

On motion of Mr. Hoyt of Sandwich at 7:27 o'clock the House adjourned.

---

### WEDNESDAY, JANUARY 23, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

### LEAVES OF ABSENCE

Mr. McNamee of Amherst was granted leave of absence for the day on account of important business.

Mr. Weston of Milford was granted leave of absence for the day on account of attending a funeral.

The Committee on Soldiers' Home was granted leave of absence for Thursday, January 31, on account of a visit to the Soldiers' Home.

### COMMITTEE REPORTS

Mr. Henderson of Durham, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following joint resolution.

House Joint Resolution No. 24, Joint resolution relating to the United States Veterans' Administration Facility, Manchester, New Hampshire.

The report was accepted.

Mr. Weston of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 19, An act to incorporate Appalachian Mountain club, reported the same with the fol-

lowing amendments and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 3 thereof. Further amend by making section 4 read section 3.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 65, An act relating to the Superior Court, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Mr. Neal of Meredith moved the previous question.

Mr. Callahan of Keene withdrew his motion.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 73, An act legalizing the November election in the town of New Durham, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Proceedings Legalized*. The votes and proceedings of the biennial election held on the sixth day of November, 1934, in the town of New Durham are hereby legalized, ratified and confirmed.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Leahy of Claremont, for the Committee on Judiciary, to whom was referred House Bill No. 111, An act in relation to tax collectors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of said bill after the enacting clause and inserting in place thereof the following:



Sect. 1. *Amendment.* Section 28 of Chapter 47 of the Public Laws is hereby amended by adding at the end of said section the following: "In case of the sickness or temporary incapacity of a collector of taxes or whenever the necessity may arise the selectmen shall have the power to appoint a deputy collector of taxes who shall give bond and have all the powers of a collector of taxes."

Sect. 2. *Repeal. Takes Effect.* All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Leahy of Claremont the rules were suspended and the bill made in order for a third reading at the present time.

The third reading having commenced on motion of Mr. Callahan of Keene the further reading was dispensed with.

The bill was then passed and sent to the Senate for concurrence.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 32, An act relating to the Superior Court, reported the same with the following resolution:

*Resolved*, That it is expedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blood of Concord, for the Committee on Public Health, to whom was referred House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State Board of Health, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Blood of Concord, for the Committee on Public Health, to whom was referred House Bill No. 49, An act relative to

the discharge of sewage, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

The Speaker presented the following report:

We the Commission appointed by His Excellency John G. Winant in accordance with Joint Resolutions Nos. 194 and 255, to investigate the toll bridges across the Connecticut River with a view to freeing the same, have concluded our duties and respectfully submit the following findings and recommendations:

We find there are two toll bridges across the Connecticut River, one between Charlestown, New Hampshire, and Springfield, Vermont, and one between Cornish, New Hampshire, and Windsor, Vermont. These two are operated under ancient charters conferring upon the two sets of proprietors exclusive right forever to maintain bridges along some miles of the river in each case.

The former franchise is now owned by the Boston and Maine Railroad through a subsidiary. The latter by sundry stockholders, a few of whom are New Hampshire residents, but the majority of the shares are owned by residents of Vermont and New York.

The Charlestown-Springfield bridge is a modern steel bridge of a structure designed to carry vehicular traffic and also electric passenger and freight car traffic. Its capacity is therefore far above ordinary vehicular traffic necessities.

We do not find any great desire on the part of residents of Charlestown for the freeing of the bridge. We further find that much of its traffic is north-south bound traffic which crosses the Connecticut at Bellows Falls into New Hampshire and then recrosses into Vermont by the Charlestown-Springfield bridge. The reason for this crossing and recrossing is that there is a "missing link" some five miles in length, in the improved highway on the Vermont side of the Connecticut River from a point some miles north of Bellows Falls, to a point a short distance west of the Vermont end of the bridge.

The State of Vermont is constructing or is planning the im-

provement of this missing link in the west side highway, which upon completion will form a continuous trunk line highway from the Massachusetts line to the Canadian border. What will be the effect of the completion of the "missing link" upon the receipts of the bridge is beyond the possibility of our calculations. That the decrease will be a material one is certain.

In view of these facts, we recommend that no action be taken towards freeing the Charlestown-Springfield bridge by acquirement of the franchise and property.

The case of the Cornish, New Hampshire-Windsor, Vermont, bridge is materially different. The bridge serves the local traffic between Plainfield, New Hampshire, and Cornish, New Hampshire, to or from Windsor, Vermont. Through traffic is very limited due to the cement highway on the Vermont side, both north and south of the west end of the bridge, and gravel roads both north and south of the New Hampshire end of the bridge.

The bridge is a two span covered, wooden structure, built about 1860, in good state of repair but with a rated capacity of four tons. The traffic is by residents of Plainfield and Cornish, who buy annual "passes," and by Windsor tradesmen and others whose delivery of goods is into the two New Hampshire towns. The bridge also carries four mail routes. The post office address of many of the Plainfield and Cornish residents is Windsor, Vermont, and three post offices in New Hampshire are served via Windsor, Vermont.

There are no trucks in either New Hampshire town with a capacity of over four tons, nor is there any probability of any industry arising in these towns requiring any heavy trucking.

The bridge is not immediately linked with any of the present trunk lines in New Hampshire, but is a purely local matter affecting the towns of Plainfield and Cornish.

The net income from current bridge tolls is enough to pay the interest on the cost of the present bridge and to allow for a small accumulation of a "repair fund." The receipts of the bridge are not enough to pay the interest on the cost of a new steel structure if such a bridge were erected to replace the

present one. We believe if the present bridge were destroyed by fire or flood, that the proprietors would not replace it.

The Commission has held joint meetings with a similar commission appointed by the Governor of the State of Vermont, pursuant to a Resolve of the General Assembly of that State, and it is our understanding that the Vermont Commission will recommend to its Legislature a procedure for the acquisition of Vermont's portion of the Cornish bridge similar to the procedure which we are recommending herewith for the New Hampshire portion.

### *Recommendations*

As a result of our studies of the conditions involved, we recommend that the State of New Hampshire appropriate the sum of \$20,000, the whole or such part thereof as may be necessary, to be expended in the following manner:

In case the inhabitants of the towns of Cornish, New Hampshire, and Windsor, Vermont jointly agree to acquire the Cornish toll bridge together with its approaches and charter, and that they further agree to maintain the structure as a free bridge, then the State of New Hampshire upon evidence that the transaction has been consummated, will cause to be paid to the Town of Cornish such sum of money not to exceed \$20,000 as may be necessary to reimburse the town for its share of the purchase price.

In the event that the town of Cornish fails to take favorable action prior to December 31, 1936, it is recommended that the appropriation lapse.

Respectfully submitted,

D. H. DICKINSON,  
CHARLES A. TRACY,  
JOHN W. DOW,

*Commissioners.*

The report was accepted.

### RESOLUTION

Mr. Nash of Concord presented the following resolution.

WHEREAS, This House has learned with deep sorrow of the

death of Nora Agnes Callahan, wife of William J. Callahan of Keene,

*Be it Resolved*, That we, members of the New Hampshire House of Representatives, extend to Mr. Callahan, one of the Deans of the House, our most sincere sympathy in this hour of great loss, and

*Be it further Resolved*, That the Clerk transmit a copy of these resolutions to the bereaved family.

GEORGE A. NASH,  
JOHN C. TILTON,  
F. T. WADLEIGH,  
W. A. LEE,  
F. CLYDE KEEFE.

The resolution was unanimously adopted by a rising vote.

#### ORDER VACATED

By Mr. McIntire of Manchester:

*Resolved*, That the order whereby House Bill No. 156, An act relating to military drill in school districts, was referred to the Committee on Military Affairs be vacated and the bill be referred to the Committee on Education.

#### PERSONAL PRIVILEGE

Mr. McDonough of Dover rose to a question of personal privilege and stated that the journal of Tuesday, January 22 carried his name as being sponsor for House Bill No. 255, An act relating to local option and the traffic in intoxicating liquor, that his name was used without authority and he desired it expunged from the records.

The Speaker instructed the Clerk to comply with the request of Mr. McDonough.

On motion of Miss Greenfield of Rochester at 12 o'clock the House adjourned.

#### AFTERNOON

The House met at 3 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene, the rules were suspended and the third readings of bills by their titles made in order.



House Bill No. 5, An act transferring the regulation of lying-in hospitals to the state Board of Health.

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 49, An act relative to the discharge of sewage.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

Severally read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

Amend said resolution by striking out the words "for the caring of the" in the fifth and sixth lines and inserting in place thereof the words, aid for, and by adding after the word "administration" in the eighth line the words, and for mothers whose applications for aid have been approved by the state board of public welfare, so that said resolution as amended shall read as follows:

That the sum of thirty-four thousand six hundred and fourteen dollars (\$34,614) be and hereby is appropriated for the state board of public welfare to provide aid for mothers previously receiving mothers' aid from funds of the relief administration and for mothers whose applications for aid have been approved by the state board of public welfare. This appropriation shall be for the period of January first, 1935, to July first, 1935. The governor is authorized to draw his

warrant for said sum out of any money in the treasury not otherwise appropriated.

On motion of Mr. Osborne of Sunapee, the House concurred in the amendments sent down from the Honorable Senate. The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 11, An act in relation to tax collectors.

Amend section 1 of the bill by striking out the word "selectmen" in the sixth line and inserting in place thereof the words tax collector, so that said section as amended shall read:

Sect. 1. *Amendment.* Section 28 of chapter 47 of the Public Laws is hereby amended by adding at the end of said section the following: "In case of the sickness or temporary incapacity of a collector of taxes or whenever the necessity may arise the tax collector shall have the power to appoint a deputy collector of taxes who shall give bond and have all the powers of a collector of taxes."

On motion of Mr. Graf of Manchester, the bill with the amendment sent down from the Honorable Senate was laid upon the table.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

#### SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

Read a first and second time and referred to the Committee on Claims.

On motion of Mr. Roche of Keene at 3:21 o'clock the House adjourned.

THURSDAY, JANUARY 24, 1935.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Mrs. Bailey of Newport was granted leave of absence on account of important business.

Mr. Shaw of Chichester was granted leave of absence on account of inadequate transportation facilities.

## COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Appropriations to whom was referred House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations to whom was referred House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by adding the following: This money is not to be available until July 1, 1935, so that said joint resolution as amended shall read as follows:

That the sum of two thousand nine hundred and seventy dollars (\$2,970) be and hereby is appropriated for the collection, publication and distribution of certain early state and provincial records. Said sum shall be expended by the secretary of state under the provisions of section 9, chapter 5 of the Public Laws, as amended by section 1, chapter 28 of the Laws of 1931 and the governor is authorized to draw his warrant for said sum out of any money in the treasury not

otherwise appropriated. This money is not to be available until July 1, 1935.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations to whom was referred House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by adding the following: This money is not to be available until July 1, 1935, so that said joint resolution as amended shall read as follows:

That the sum of nine hundred dollars (\$900) be and hereby is appropriated for the repair of certain volumes of provincial records being property of the state now being kept in the Historical Society building for safe keeping. Said sum shall be expended under the direction of the secretary of state and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. This money is not to be available until July 1, 1935.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations to whom was referred House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 14, An act regarding lien on real estate, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 2 thereof. Further amend by making section 3 read section 2.

The report was accepted.

The question being on the amendments reported by the committee.

On motion of Mr. Hart of Wolfeboro the bill was recommit-  
ted to the committee for a further hearing.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 56, An act relating to relief, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of Section 1 of said bill and making Section 2 read Section 1. Further amend said bill by making Section 3 read Section 2.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Freeman of Concord for the Committee on Judiciary to whom was referred House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of said bill after the enacting clause and inserting in place thereof the following:

1. *Amendment.* Amend Chapter 63, Laws of 1933, by striking out all of section 8 thereof and substituting therefor the following: *Duration of Authority.* The authority given to the governor and council to issue certificates of emergency or to guarantee the payment of loans made by virtue of such certificates shall continue for the term of four years from the date of the passage of this act, but all other provisions of this act shall remain in force until the loans authorized by this act have been fully paid.

Section 2. This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 57, An act relating to liens for water rates, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.



The report was accepted and the resolution of the committee adopted.

Mr. Davis of Conway for the Committee on Labor to whom was referred House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Blood of Concord for the Committee on Public Health to whom was referred House Bill No. 50, An act relating to nuisances, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### RESOLUTIONS

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

By Mr. Alfred L. Guay of Laconia:

*Resolved*, That the order whereby House Bill No. 172, An act relating to bounty on woodchucks was referred to the committee on Fisheries and Game be vacated and the bill be referred to the Committee on Agriculture.

By Mr. Ahern of Concord:

*Resolved*, That the order whereby House Bill No. 54, An act defining the rights of school board members in supervisory unions, was referred to the Committee on Revision of Statutes be vacated, and the bill be referred to the Committee on Education.

Mr. Perley of Lebanon offered the following resolution:

*Resolved*, That a vote of appreciation be extended to Mr. Frederick E. Everett, state highway commissioner, and the

members of the state highway department for the excellent manner in which they have cleared the highways of snow in this severe storm, and

*Be it further resolved*, That the clerk is instructed to transmit a copy of this resolution to Mr. Everett.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

By Mr. Putnam of Hanover:

*Resolved*, That the Clerk be authorized to procure 250 additional copies of House Bill No. 6, An act relative to horse racing and pari-mutuel pools.

The following letter was read by the Speaker:

Hon. Amos N. Blandin,

Speaker of the House of Representatives,

Concord, New Hampshire.

*Dear Mr. Speaker:*

In accordance with the request contained in the enclosed letter, I am submitting it and its accompanying enclosure for the consideration of the New Hampshire Legislature.

Sincerely yours,

H. S. BRIDGES,

*Governor.*

January 18, 1935.

To His Excellency

Hon. Governor

Concord, New Hampshire.

*Honorable Sir:*

Enclose find joint resolution same explanatory.

Kindly refer same to your State Legislature for their consideration and action.

Thanking you in advance for the requested attention.

Yours very truly,

I. K. WERWINSKI.

A joint resolution providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the constitution by the United States of America on September 17, 1937; establishing a commission to be known as the New

Hampshire United States Constitution Day Commission and designating September 17, 1937 as United States Constitution Day.

The joint resolution was read a first and second time and referred to the Committee on National Affairs.

The following telegram was read by the Speaker:

Hon. Speaker of the House of Representatives,  
State Legislature,  
New Hampshire

We beg to advise you that the legislature of the State of Washington is in session and that it has voted against entry of the United States in the World Court. We assure you however that the members of the Washington Legislature are one hundred percent back of the President on issues vital to the welfare of the people of the United States. We feel that the memorial urging the United States to enter the World Court is not in the interest of the welfare of our people, therefore we reserve the right on issues of this kind to disagree with the President. Public sentiment in this State decisively supports our stand. May we urge that this message be read to your body.

ROBERT F. WALDRON,

*Speaker of the House.*

By Mr. Winslow of Nashua:

*Resolved*, That all hearings shall be advertised at least twenty-four hours previous in journal.

Mr. Wilson of Manchester asked unanimous consent to introduce a joint resolution.

Unanimous consent was granted.

By Mr. Wilson of Manchester, House Joint Resolution No. 113, Joint resolution relating to taxation by the Federal government of net incomes from the sale of liquor by the State.

Read a first and second time.

On motion of Mr. Wilson the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time.

The question being

Shall the joint resolution pass?

(Discussion ensued)

On a *viva voce* vote the joint resolution passed and was sent to the Senate for concurrence.

On motion of Mr. Van Vliet of Manchester business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 50, An act relating to nuisances.

House Bill No. 56, An act relating to relief.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds of towns, cities and counties.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

Severally read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution sent up from the House of Representatives:

House Joint Resolution No. 86, Joint resolution memorial-

izing the use of granite in the construction of federal buildings and public works.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House joint resolution in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 86, Joint resolution memorializing the use of granite in the construction of federal buildings and public works.

Amend said resolution by adding after the words "United States" in the first line thereof the words, be requested to, so that said resolution as amended shall read as follows:

That the President of the United States be requested to urge the continued use of granite in the construction of federal buildings and public works.

Amend the caption of said resolution by adding after the word "memorializing" the words the President of the United States relative to, so that said caption as amended shall read as follows:

Joint resolution memorializing the President of the United States relative to the use of granite in the construction of federal buildings and public works.

Mr. Henderson of Durham moved that the House concur in the amendments offered by the Committee on Engrossed Bills.

The question being on the motion of Mr. Henderson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Sawyer of Woodstock at 12:15 o'clock the House adjourned.

---

FRIDAY, JANUARY 25, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:



Bath, N. H., January 25, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige.

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Grant of Lyme at 9:01 o'clock the  
House adjourned.

---

MONDAY, JANUARY 28, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., January 28, 1935.

Mr. David A. Grant,  
Lyme, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Maxham of Concord at 7:31 o'clock the  
House adjourned.

---

TUESDAY, JANUARY 29, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Thomas J. Guay of Laconia was granted leave of absence for the week on account of illness.

## COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

House Joint Resolution No. 19, Joint resolution providing for additional mothers' aid.

House Joint Resolution No. 20, Joint resolution providing for a deficiency appropriation for the executive department.

House Joint Resolution No. 86, Joint resolution memorializing the President of the United States relative to the use of granite in the construction of federal buildings and public works.

House Joint Resolution No. 113, Joint resolution relating to taxation by the federal government of net income from the sale of liquor by the state.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Appropriations to whom was referred Senate Joint Resolution No. 3, Joint resolution making appropriations for fish and game exhibits, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Bill No. 46, An act to incorporate the Clark School Foundation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 283, An act relating to the taking of deer, with the recommendation

that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Bill No. 11, An act relating to the building and maintenance of state roads and highways by the state highway department, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Public Improvements, to whom was referred House Bill No. 11, An act relating to the building and maintenance of state roads and highways by the state highway department, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

PATRICK J. CREIGHTON,

EDWARD F. BOUTHLETTE,

*A minority of the Committee.*

Mr. Creighton of Manchester moved that the report of the minority be substituted for the report of the majority.

The question being on the motion.

(Discussion ensued)

Mr. Molloy of Nashua raised the point of order that the member speaking was an interested party and under Rule 17 was not entitled to speak.

The Speaker ruled that the member could speak but could not vote on the question.

(Discussion ensued)

The question being

Shall the report of the minority be substituted for the report of the majority?

Mr. Molloy of Nashua called for a division.

A division being taken 104 members voted in the affirmative and 229 members voted in the negative and the motion did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 3, An act legalizing the November election in the town of Bethlehem.

House Bill No. 10, An act legalizing the November election in the town of Salem.

House Joint Resolution No. 113, Joint resolution relating to taxation by the federal government of net income from the sale of liquor by the State.

#### RESOLUTIONS

Mr. Perley of Lebanon offered the following resolution:

*Resolved*, That the comptroller be instructed to furnish to the Clerk of the House an itemized copy of all payrolls, with the names and the amount per week, and the time said persons were employed under the authority of House Bill No. 417 of the 1933 session of the legislature.

Also names of persons and amounts received of all money paid out of emergency fund for protection of interest of the State, under chapter 178, section 1, Session Laws of 1933 and chapter 179, section 1, Laws of 1933.

Also names of persons and amount received of all money paid out of the forestry appropriation under chapter 150, section 7, Session Laws of 1933 and the same for the appropriation for general relief under chapter 150, section 8, Session Laws of 1933.

Said report to include all expenses under the Relief Department from July 1, 1933, to December 31, 1934, giving the charges to each town and county.

Said comptroller is to furnish this copy by Tuesday, February 5th.

The Clerk as soon as report is received shall cause to be printed the usual number of copies for the use of the members of the House and Senate.

The question being on the resolution.

(Discussion ensued)

Mr. Callahan of Keene raised the point of order that the member speaking was not addressing the House properly.

The Speaker declared the point well taken.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Callahan of Keene:

*Resolved*, That the Clerk be instructed to procure 1,000 copies of the House Rules for use of the members.

On motion of Mr. Hart of Wolfeboro:

*Resolved*, That the order whereby House Bill No. 244, An act annexing certain islands in Lake Winnepesaukee to the town of Moultonborough, was referred to the Committee on Towns and Counties be vacated and the bill be referred to a special committee consisting of the delegation from the county of Carroll.

On motion of Mr. Keefe of Dover:

*Resolved*, That the House has learned with deep regret of the death of Representative Thomas J. Guay of Laconia. Be it further

*Resolved*, That when the House adjourns it adjourn in respect to his memory. Be it further

*Resolved*, That the Clerk be instructed to procure a suitable floral tribute and that the Speaker appoint a committee to prepare suitable resolutions.

Mr. Brouillette of Manchester moved that the order whereby House Bill No. 121, An act relating to employment of married women, was referred to the Committee on Labor be vacated and the bill be referred to the Committee on Education.

The question being on the motion.

(Discussion ensued)

Mr. Brouillette withdrew his motion.



On motion of Mr. Keefe of Dover at 12:38 o'clock the House adjourned.

### AFTERNOON

The House met at 3 o'clock.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 46, An act to incorporate the Clark School Foundation.

Read a third time and passed and sent to the Senate for concurrence.

Senate Joint Resolution No. 3, Joint resolution making appropriations for the fish and game exhibits.

Read a third time and passed and sent to the Secretary of State to be engrossed.

### RESOLUTION

Mr. Callahan of Keene offered the following resolution:

*Resolved*, That the New Hampshire House of Representatives now in session request their United States Senators Henry W. Keyes and Fred H. Brown to vote against any adherence to Court or League of Nations when the matter comes up for a vote in the United States Senate.

*Be it further Resolved*, That a copy of these resolutions be forwarded by the Clerk of the House to Senator Henry W. Keyes, Senator Fred H. Brown, Congressman William N. Rogers and Congressman Charles W. Tobey.

The question being on the resolution.

(Discussion ensued)

Mr. Wadleigh of Milford moved that the resolution be laid upon the table.

Mr. Callahan of Keene demanded the yeas and nays.

Mr. Keefe of Dover moved that the House adjourn.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result.

## YEAS, 142

ROCKINGHAM COUNTY: Stevens of Candia, Fogg, Thayer, Benton, Russell of Exeter, Carlton, Brackett, Estabrook of Newton, Mudge, Kittredge, Yeaton of Portsmouth, Buckley, Rose, Marston of Rye, Peever, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Garland, Hall of Dover, Keefe, Durnin, Gelinas of Farmington, Gotts, Emerson of Rochester, Greenfield.

BELKNAP COUNTY: Piper of Belmont, Hunt, Page, Carroll, Hoyt of Laconia, Cantin, Neal of Meredith, Smart.

CARROLL COUNTY: Davis, Weeks, Hart.

MERRIMACK COUNTY: Reardon, Danforth of Bradford, Robinson of Concord, Boutwell, Blake, Dame, Sturtevant, Tilton, Brunel, Freeman of Concord, Wylie, Ahern, Donovan, Buffum, Demers, Carignan, Lemire, Bean of Franklin, Dempsey, Peaslee of Henniker, Stobie, Shepard, Sanderson, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Chandler of Francestown, Avery, Sym, Wilson of Manchester, Van Vliet, Aubin, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Wadleigh, Woods, Ravenelle, Bouthillier, Cummings of Peterborough.

CHESHIRE COUNTY: Chickering, Firmin, Perry of Jaffrey, Keating, Gates, Hilton, Spaulding, Wardwell, Wiswall, Huntley, Bullock, Rice, Britton.

SULLIVAN COUNTY: Daly, Etsler, Freeman of Claremont, Hosking, Leahy, Quimby, Stetson, Thomas, Johnson, Cutting, Reney, Bailey, Farmer, Read of Plainfield, Osborne.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Hardy, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Marden, Hathorn, Hoyt of Lebanon, McNamara, Perley, Legassie, Bishop, Lewis, Magoon, Burghault, Grant, McLean, Merrill of Plymouth, Cook, Sawyer of Woodstock.

COOS COUNTY: Barden, Bell, Ordway, Gray, Whitcomb, Stiles, Chandler of Gorham, Willis, Towle, Hancock.

## NAYS, 85

ROCKINGHAM COUNTY: Dagan, Foss, Perkins of Hampton, Lyford, Sheehy, Peaslee of Plaistow, Barrett, Dondero, Harmon, Eliot of Raymond, Floyd.

STRAFFORD COUNTY: Keenan, Howard of Dover, Neal of Dover, McDonough of Dover, Lefavour, Tanner, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Tighe, Elson.

BELKNAP COUNTY: Stafford, Simpson of Laconia.

CARROLL COUNTY: Mudgett, Thompson of Effingham, Banfield, Hoyt of Sandwich, Young.

MERRIMACK COUNTY: Courtemanche, Shaw, Coakley, Matott, Kemp, Maxham, Lafond, Merrill of Loudon, Vancore, Warren, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Putnam of Antrim, Charois, Craine, Gage, Connelly, Healy of Manchester, Ward 6, Sullivan of Manchester, Turcotte of Manchester, Sweeney of Manchester, Ward 11, Ladouceur, Barnes, Howison, Weston, Fournier, Maddox, Thompson of New Ipswich, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Hanson, Hammond, Callahan, Shea, Kiniry.

SULLIVAN COUNTY: Chandler of Claremont, Cummings of Newport, Emerson of Washington.

GRAFTON COUNTY: Graham, Sawyer of Franconia, Scruggs, Parker, Simpson of Littleton, Averill.

COOS COUNTY: Smith of Berlin, Palmer, Sullivan of Berlin, Martel, Bixby, Dugas, Myler, Lombard, Morris, Cole, Fuller of Stewartstown, Whitcher.

At 4 o'clock the House was declared adjourned and the resolution went into unfinished business.

---

WEDNESDAY, JANUARY 30, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the

grounds of the New Hampshire Veterans' Association at the Weirs, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in line one the following: "\$1750.00" and inserting in place thereof the following: \$1500.00, so that said joint resolution as amended will read as follows: That the sum of \$1500.00 be and hereby is appropriated for the fiscal year ending June 30th, 1936, and the same amount for the fiscal year ending June 30th, 1937, for the purpose of paying for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at The Weirs, and for necessary repairs on any buildings owned by the said association or controlled by any regimental Civil War organization now in existence, situated thereon. Said appropriation for each of the fiscal years named above shall be expended by a suitable agent to be appointed by the Governor and Council, and the Governor is authorized to draw his warrant for the payment of said sums out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 122, An act to regulate employment on trunk line and state aid repair work, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the Committee adopted.

Mr. Osborne of Sunapee, for the Committee on Rules, reported the following entitled bill, House Bill No. 284, An act relative to emergency borrowing for the State, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and state-aided highways and for the adjustment of aid to towns in maintaining class V highways, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 286, An act relating to powers of governor and council, with the recommendation that the bill be referred to the Committee on Insurance.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Insurance.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 287, An act relating to the superior court, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 288, An act relating to wages, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H., et als., with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first



and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Helen Hagerty, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mrs. Howison of Milford for the Committee on Transportation to whom was referred House Bill No. 87, An act to dissolve Upper Coos Railroad, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kimball of Hinsdale for the Committee on Elections, to whom was referred the petition of William L. Gaffney of Claremont, praying for a seat in the House of Representatives, reported the same with the following resolution:

*Resolved*, That the petition be granted, and that a certificate of election be issued to the said William L. Gaffney.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Davis of Conway moved that all petitions pertaining to contested seats be laid upon the table and made a special order for Tuesday, May 5, at 11:01 o'clock.

The question being on the motion of Mr. Davis.

(Discussion ensued as to time)

Mr. Callahan of Keene called for a division.

A division being taken 232 members voted in the affirmative and 133 members in the negative and the motion prevailed.

In compliance with the resolution adopted on Tuesday the following letter was received.

Harrie M. Young, Clerk,  
House of Representatives,  
State House,  
Concord, New Hampshire.

*Dear Sir:*

Referring to the resolution passed by the House of Representatives yesterday calling on the Comptroller for pay rolls, etc., will say that by the cooperation of the officials of the Relief Department in furnishing me certain material they had in their files, and with the balance of the material taken from the Comptroller's files, I am able to comply with your request this morning.

The material delivered to you contains pay rolls for the following activities of the State:

General Welfare Administration; Unemployment Relief Committee, Field Operations; New Hampshire E. R. A.; State House Renovation; Commission on Inter-state Compacts; Cost of Living Study; Enforcement of Minimum Wage; Old Age Assistance; Commission on Unemployment Reserves; Credit Relief; Recreation; Civil Works Administration; Public Works; Special Recreational Projects; Other Public Works; Purchasing Standardization; Arts and Crafts.

For your information will say that in the above there are 750 pay roll sheets.

I am also enclosing a record of the amounts taken by the Governor and Council from the Emergency Fund and from Sections 7 and 8 of Chapter 150. I am also enclosing sheets showing the amounts charged to counties, cities and towns from July 1st, 1933 to November 1st, 1934. As the accounts for November and December have been only partially settled it is impossible to give you the figures later than November 1st.

I am also enclosing a copy of the Drayton auditing report. This report covers the period from July 1st, 1933 to June 30, 1934, and contains a more complete picture of the relief work than could be given in the Comptroller's report. Mr. Drayton is now working on a report from July 1st up to the time that the Relief Department is closed out and liquidated. It

may be possible that the House would want to consider printing these reports.

In regard to printing all the matter which I have delivered to you this morning, may I suggest that it might be well to appoint a committee to examine the material so that any matter not of value to the State need not be printed.

Very truly yours,

M. W. DICKINSON,

*Comptroller.*

Mr. Perley of Lebanon offered the following resolution:

*Resolved*, That a committee of three be appointed to study the accounts asked for in the resolution passed yesterday in this House for investigation of welfare and relief and report to the House next Tuesday morning, February 5, any suggestions in regard to the above.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Callahan of Keene called for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

The Speaker appointed as members of such committee Messrs. Perley of Lebanon, Hunter of Hanover, and Shaw of Chichester.

#### COMMITTEE APPOINTED

The Speaker appointed as members of the committee to prepare a resolution on the death of Thomas J. Guay, Messrs. Keefe of Dover, Wilson of Manchester, Dodge, Stafford and Beane of Laconia.

#### RESOLUTIONS

On motion of Mr. Guyer of Hanover:

*Resolved*, That the Speaker appoint a committee to draw up suitable resolutions on the death of Mrs. Grant, the wife of Representative David A. Grant of Lyme.

The Speaker appointed as members of such committee Messrs. Guyer of Hanover, Perley of Lebanon, Parker of Lisbon, Magoon of Littleton, and McLean of Plymouth.

Mr. Perley of Lebanon offered the following resolution:

*Resolved* by the House of Representatives, the Senate concurring: That a committee of five, three from the House and two from the Senate, be appointed to accompany the Governor to Washington to consult with the Federal Relief Administrator in regard to what relief set up they recommend in New Hampshire.

The Governor is hereby authorized to draw his warrant for this expense out of any money in the treasury not otherwise appropriated.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Keefe of Dover:

*Resolved*, That the order whereby House Bill No. 113, relating to weight of motor vehicles; House Bill No. 182, providing uniform standards for weight and size of motor vehicles; House Bill No. 94, relating to motor vehicle trailers; and House Bill No. 166, relating to the weight and length of motor vehicles were referred to the Committee on Judiciary be vacated; and that the same be referred to the Committee on Transportation.

#### UNFINISHED BUSINESS

Mr. Callahan of Keene called for the unfinished business, it being the resolution presented by him on Tuesday afternoon relating to the League of Nations with a motion to lay on the table pending.

Mr. Keefe of Dover moved that the House adjourn.

Mr. Stevenson of Exeter demanded the yeas and nays but subsequently withdrew his demand.

Mr. Keefe withdrew his motion to adjourn.

The question being on the motion to lay upon the table.

On a *viva voce* vote the motion prevailed.

Mr. Callahan of Keene called for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

Mr. Callahan of Keene demanded the yeas and nays.

On motion of Mr. Leahy of Claremont at 12:03 o'clock the House adjourned.

### AFTERNOON

The House met at 3 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 87, An act to dissolve Upper Coos Railroad.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veteran's Association at the Weirs.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Hoyt of Sandwich at 3:14 o'clock the House adjourned.

---

### THURSDAY, JANUARY 31, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Hunter of Hanover was granted leave of absence for the day on account of important business.

### COMMITTEE REPORTS

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 164, An act relating to the bridge over Little bay, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 241, An act relating to an act to provide funds for the construction,



reconstruction and repair of highways, bridges and culverts throughout the state damaged or destroyed during the flood of November, 1927, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 60, An act relative to local option on the liquor and beer questions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 147, An act regarding lien on real estate, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 69, An act relating to trespasses and malicious injuries, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 14, An act regarding lien on real estate, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### RESOLUTION

By Mr. Callahan of Keene.

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 8, An act providing for the appointment of highway agents.

Senate Bill No. 10, An act relating to legal investment by guardians.

#### SENATE BILLS READ AND REFERRED

Senate Bill No. 8, An act providing for the appointment of highway agents.

Senate Bill No. 10, An act relating to legal investment by guardians.

Severally read a first and second time and referred to the Committee on Judiciary.

#### PERSONAL PRIVILEGE

Mr. Keefe of Dover rose to a question of personal privilege and stated that he hoped that no partisan feeling would be displayed during the consideration of the contested election cases.

On motion of Mr. Davis of Conway the Special Order for Tuesday, February 5th, the same being the contested election cases, was revoked.

Mr. Davis of Conway offered the following resolution:

*Resolved*, That the matter be recommitted to the Committee on Elections with instructions to count actually, in the presence of the interested persons or their representatives, all the ballots in each case of a contested election and to report back to the House the results as found in each case individually with a statement of reasons for findings on each disputed or questioned ballot.

The question being on the resolution.

(Discussion ensued)

Mr. Nash of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Shaw of Chichester:

WHEREAS, Dean Charles Holmes Pettee of Durham, a native of Manchester, reaches his eighty-second birthday on February second, nineteen hundred and thirty-five, and

WHEREAS, Charles Holmes Pettee has for fifty-nine consecutive years served the State of New Hampshire as a teacher and executive at the University of New Hampshire, and is today performing active and efficient service to the young men and women of this State, be it hereby

*Resolved*, That this House of Representatives in regular session convened extend heartiest birthday greetings to Dean Charles Holmes Pettee, and be it further

*Resolved*, That a copy of this resolution be entered in the records of the House of Representatives and a copy sent to Dean Pettee.

Mr. Guyer of Hanover offered the following resolution:

WHEREAS, This House has learned with deep sorrow of the death of Phoebe Grant, wife of Representative David A. Grant of Lyme,

*Be it resolved*, That we, members of the New Hampshire House of Representatives, extend to Mr. Grant, one of the oldest members of the House, our most sincere sympathy in this hour of great loss, and

*Be it further resolved*, That the Clerk transmit a copy of these resolutions to the bereaved family.

ALFRED W. GUYER,  
JOSEPH B. PERLEY,  
DWIGHT H. PARKER,  
CHARLES E. MAGOON,  
RICHARD J. McLEAN.

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Ahern of Concord business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Osborne of Sunapee the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little bay.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Ahern of Concord at 12 o'clock the House adjourned.

---

FRIDAY, FEBRUARY 1, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 1, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.

---

MONDAY, FEBRUARY 4, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., February 4, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Gage of Manchester at 7:31 o'clock the House adjourned.



TUESDAY, FEBRUARY 5, 1935.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

His Excellency the Governor delivered the following message:

## GOVERNOR'S MESSAGE

My few weeks as chief executive have convinced me of the immediate need of establishment of a permanent planning agency within the State government.

I have in mind particularly the relief and public works situation. It is no secret that the national administration hopes to withdraw as rapidly as possible from the further granting of direct relief funds to the states. At the same time Congress is expected to pass an appropriation of \$4,000,000,000 for expenditure on public works which it is hoped will provide employment for employables now upon direct relief rolls in this country.

New Hampshire has 38 hundredths per cent of the national population and theoretically might be considered entitled to public works grants amounting to a minimum of \$15,000,000. If New Hampshire's percentage of the national wealth were used in the computation, and relative wealth is an indication of the amount of taxes which New Hampshire will contribute towards liquidation of the increase in national debt to be incurred by the public works appropriation, this state's fair share of the four billions would be much greater. Figured by other measuring sticks New Hampshire would be entitled to from \$20,000,000 to \$25,000,000. At any rate, without being selfish, New Hampshire has a very real concern in the spending of these billions.

It is probable that the federal public works appropriation will leave the President's hands free in its disbursement. There are five billions of potential public works projects in the hands of Secretary Ickes at the present moment, and competition for public works funds is bound to be keen as between the states and the total appropriation will inevitably be spent.

New Hampshire should be prepared to act. An inventory of potential public works projects is being made in this state now under the auspices of an advisory committee set up by the Interim Planning Board at the request of the Federal Public Works Administration. But even more important is the sifting out from this inventory of practical projects and the preparation of actual applications for grants. The agency charged with this function should be able to carry through on the task once it is started.

The Interim Planning Board has accumulated much of the information which can intelligently guide the state in its approach to the public works problem under the new rules and regulations, as yet unannounced, which will govern the disbursement of the new appropriation of \$4,000,000,000. But the Interim Planning Board lacks authority to proceed and is operating on a very small budget provided from emergency funds by the Governor and Council. With legislation pending which would create a permanent planning agency of the state government it seems unwise to ask this interim board to start a task which presumably would have to be completed by a new agency. Changing horses in the middle of the stream is precarious business.

I believe the state may best proceed if the legislature will immediately enact the pending legislation creating a permanent planning agency. The bill calls for consolidation of the planning function with the functions of the Development Commission. This is in accord with my hope that New Hampshire will not find it necessary to establish any new departments at this time. The bill as submitted has been approved by members of the Development Commission and members of the Planning Board, among the latter being the executive heads of several state departments.

In only one respect would I suggest an amendment to the bill as introduced in the House. I believe that in order that there be no confusion as to the functions of the department its title should be the Planning and Development Commission.

This legislation in no way displaces the Development Com-

mission or curtails its work. Instead it broadens the conception of that department's functions and will, I believe, make it an even more valuable agency of government.

The legislation does not give to the Planning and Development Commission any authority to execute plans. This function would be retained by the administrative departments affected by the particular public works involved and the legislature. But there would be provided one responsible agency of the state government where all public works planning could be coordinated.

There is another proposal before the legislature for the establishment of a board of federal land acquisition, or a land use board. This is House Bill 163. This measure would protect the interests of the state in the further acquisition of title to New Hampshire land by the Federal Government. The board which the act would establish would be one more commission, and it is my conviction that if a Planning and Development Commission is established that it should be designated in House Bill 163 as the land use board necessary for the administration of that act.

A third proposed act is a planning enabling act, permissive legislation carrying no appropriation, which permits any town or city in the state to take advantage of the act if it so wishes for the purposes of officially engaging in local planning. A state planning agency can provide the advisory assistance to political sub-divisions of the state which would be in order were the legislature to make the planning enabling act law.

I do not ask for passage at this time of either the federal land acquisition act or the town planning enabling act. But I do believe immediate enactment of the Planning and Development Commission act, with the single amendment which I have suggested, is in the best interests of the state.

The matter of the financial requirement of this consolidated department in the next biennial period will be considered in connection with the budget by proper legislative committees. The funds to carry along the development part of the new commission have all been provided by the previous

legislature. A small appropriation may be needed to carry on the planning activities for the remainder of the fiscal year in addition to the unexpended funds already allocated to the Planning Board by the Governor and Council. If this need develops I shall have a resolution introduced providing for such appropriation. Whatever expenditures are necessary in connection with this work I believe is an excellent investment for the State of New Hampshire to make at this time.

#### LEAVES OF ABSENCE

Mr. Gordon of Meredith was granted leave of absence for the day on account of attending a funeral.

Mr. Barry of Nashua was granted leave of absence for the day on account of illness.

Messrs. Fuller of Stratford, Averill of Warren and Bowles of Easton were granted leave of absence for the week on account of illness.

Mr. Kiniry of Walpole was granted leave of absence for the week on account of death of his brother.

Mr. Barnes of Mason was granted leave of absence for the week on account of illness in his family.

#### COMMITTEE REPORTS

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 223, An act to exempt from taxation property owned by the Warner House Association of Portsmouth, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Fisheries and Game, to whom was referred House Bill No. 98, An act relating to the expiration of hunting and fishing licenses, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 106, An act relative to licenses to hunt and fish, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Guay of Laconia the bill was recommitted to the Committee on Fisheries and Game for a further hearing.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 189, An act relating to the terms used in the liquor laws, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 190, An act relating to the terms used in the beverage laws, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 212, An act relating to club licenses, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 243, An act relating to on-sale permit fees, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Rules re-



ported the following joint resolution, House Joint Resolution No. 116, Joint resolution for the improvement of a road in Springfield, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Osborne of Sunapee for the Committee on Rules reported the following entitled bill, House Bill No. 289, An act providing for state aid on class II or class V highways, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 290, An act prohibiting the use of the state seal, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 56, An act relating to relief.

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantees of emergency notes and bonds of towns, cities and counties.

#### RESOLUTIONS

On motion of Mr. Keefe of Dover:

*Resolved*, That the rules be suspended to allow the Committee on Judiciary to hold a hearing on House Bill No. 108, An act relating to state planning and development, which had not previously been advertised in the journal.

On motion of Mr. Tilton of Concord:

*Resolved*, By the General Court that the sympathy of this House be extended to Representative Wm. A. Lee of Ward 8, Concord, in the untimely death of his brother and that the Clerk be instructed to convey this message to him.

On motion of Mr. Neal of Meredith at 11:55 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

## RESOLUTIONS

On motion of Mr. Carlton of Fremont:

*Resolved*, That a committee of 3 be appointed to prepare resolutions on the death of Honorable Stephen A. Frost, of Fremont, Councillor on the staff of Governor Fred H. Brown and a former representative.

The Speaker appointed as members of such committee Messrs. Carlton of Fremont, Marston of North Hampton, and Currier of Derry.

On motion of Mr. Simpson of Bartlett at 3:45 o'clock the House adjourned.

---

## WEDNESDAY, FEBRUARY 6, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Messrs. Richards of Manchester and Hoyt of Laconia were granted leave of absence for the day on account of illness.

Mr. Woods of Mont Vernon was granted leave of absence for the day on account of attending a funeral.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on En-grossed Bills reported that the committee had examined and

found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 19, An act to incorporate Appalachian Mountain Club.

House Bill No. 73, An act legalizing the November election in the town of New Durham.

Senate Joint Resolution No. 3, Joint resolution making appropriations for fish and game exhibits.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 65, An act relating to the superior court, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the words "five thousand two hundred and fifty" in lines 2 and 3 and inserting in place thereof the words, two thousand six hundred and twenty five; further amend by striking out the words "one thousand three hundred and fifty" in lines 5 and 6 and inserting in place thereof the words, six hundred and seventy five so that said section as amended shall read as follows:

2. There is hereby appropriated from the moneys in the State Treasury, not otherwise appropriated, a sum not exceeding two thousand six hundred and twenty five dollars, for the salaries of said justices for the balance of the fiscal year ending June 30, 1935; and there is further appropriated from the moneys in the State Treasury not otherwise appropriated, a sum not exceeding six hundred and seventy five dollars, for the expenses of said justices for the balance of the fiscal year ending June 30, 1935.

The report was accepted and the amendment adopted.

Mr. Hunter of Lebanon offered the following amendment:

Further amend the bill by striking out the word "seven" in line three and again in line five and insert in place thereof the word "six."

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 284, An act relative to emergency borrowing for the state, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 108, An act relating to the State planning and development commission, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title thereof and substituting therefor the following: An act relating to the State planning and development commission.

Further amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Organization: Members.* The State planning and development commission is hereby established, consisting of five members, to be appointed by the Governor, with the advice and consent of the Council, no more than three of whom shall be of the same political party. The Governor, with the advice and consent of the Council, shall designate one of the members of said Commission as Chairman. The members shall hold office for five years, except that the original appointments shall be for one, two, three, four, and five years respectively; and each member shall hold office until his successor shall be appointed and qualified. The members shall serve without pay, but may receive compensation for reasonable expenses incurred in the performance of their duties.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

The bill was then referred to the Committee on Appropriations under the rules.

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the Committee on Appropriations to hold a hearing on said bill the hearing not having been advertised in the journal.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 198, An act relating to construction and repairs of state buildings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 96, An act relating to liquor laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 128, An act to prevent fraudulent signing for liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Bill No. 285, An act providing for the reconstructing and maintenance of trunk line and state-aided highways and for the adjustment of aid to towns in maintaining Class V highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.



Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 43, An act providing for a lien upon household furniture, effects and baggage, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 117, Joint resolution relating to an appropriation for the aid of the state and communities to be affected by future curtailment or abandonment of rail service and facilities, with the recommendation that the joint resolution be referred to the Committee on Transportation.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 292, An act relating to the police, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 293, An act to close Mill brook in the town of Holderness to smelt fishing, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 294, An act relating to neglected and delinquent children, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more efficient and effective administration of justice therein, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Ahern of Concord for the special committee consisting of the delegation from the city of Concord, to whom was referred House Bill No. 2, An act amending the charter of the city of Concord, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ahern of Concord for the special committee consisting of the delegation from the city of Concord, to whom was re-

ferred House Bill No. 76, An act amending the charter of the city of Concord, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blood of Concord for the special committee consisting of the delegation from the city of Concord, to whom was referred House Bill No. 42, An act in amendment of the charter of the city of Concord, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted.

The undersigned, a minority of the committee consisting of the delegation from the city of Concord, to whom was referred House Bill No. 42, An act in amendment of the charter of the city of Concord, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

CHARLES P. COAKLEY,  
WILLIAM J. AHERN,  
HARRY MATOTT,  
THOMAS F. DONOVAN,  
ARTHUR F. STURTEVANT,

*A minority of the Committee.*

Mr. Ahern of Concord moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and the accompanying reports be laid upon the table and made a special order for Wednesday, February 13 at 11:01 o'clock, meanwhile the bill in its new draft to be printed.

On a *viva voce* vote the motion prevailed.

Mr. Francoeur of Nashua, for the special committee consisting of the delegation from the city of Nashua, to whom was referred House Bill No. 214, An act amending the charter of the city of Nashua, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 12 the following: "board of inspectors of check-list," so that said section as amended will read as follows: 1. Amend section 41, of the charter of the city of Nashua, to read as follows:

41. The board of aldermen so chosen shall meet at eight o'clock on the first regular meeting night in January next following their election, in their capacity as the board of aldermen, organizing, adopting rules for the transaction of business by such board, electing such officers as are by law or ordinance required to be elected and transacting any other business required by law or ordinance to be transacted at such meeting. The mayor, members of the board of education, board of assessors, board of public works, board of fire commissioners, and all other officers who are required to take an oath of office shall meet in convention with the board of aldermen at said time and take their respective oaths of office.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 38, An act to amend the charter of Masonic Home.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Masonic Home.* Amend chapter 194 of the Laws of 1883 as amended by chapter 131 of the laws of 1897, chapter 194 of the laws of 1901, chapter 214 of the laws of 1909, and chapter 323 of the laws of 1929, by striking out the whole of section 4 and inserting in place thereof the following:

On motion of Mr. Wilson of Manchester the House concurred in the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 56, An act relating to relief.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act extending the provisions of the emergency act relative to attachment, execution sale and mortgage foreclosure.

Amend section 1 of said bill by striking out the first four lines of said section and inserting in place thereof the following:

1. *Time Extended.* Amend section 24 of chapter 161 of the laws of 1933 by striking out the word "two" in the second line and inserting in place thereof the word four, so that said section as amended

On motion of Mr. Wilson of Manchester the House concurred in the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTIONS

Mr. Beane of Laconia offered the following resolutions:

WHEREAS it has pleased Almighty God in His infinite wisdom to remove from our midst our late fellow representative, Thomas J. Guay, and

WHEREAS from our associations and contacts with him, we realize that his own city of Laconia and the State of New Hampshire has lost one of its able and loyal citizens, therefore

*Be it resolved*, That this House of Representatives hereby expresses its profound regret for the loss of this kindly gentleman, and extends to the bereaved family its deepest and most



sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

DANA S. BEANE,  
FRANCIS CLYDE KEEFE,  
ALLAN M. WILSON,  
JAMES B. DODGE,  
GEORGE C. STAFFORD,

*Committee on Resolutions.*

The resolutions were unanimously adopted by a rising vote.

Mr. Carroll of Laconia offered the following resolutions.

WHEREAS the members of the Laconia Delegation have learned with deep regret of the death of a fellow member, Thomas J. Guay, we extend to the members of the bereaved family our most sincere sympathy;

*Resolved*, That in his death, the Delegation has lost an able and outstanding citizen.

*Resolved*, That a copy of these resolutions be spread on the records of the Delegation, and that a copy be sent to the immediate family.

MICHAEL J. CARROLL,  
ARTHUR MERRILL,  
A. J. CANTIN,

*For the Committee.*

The resolutions were unanimously adopted by a rising vote.

#### COMMITTEE REPORTS

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 296, An act relative to a state board of welfare and relief, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Wilson of Manchester the Clerk was instructed to procure 1000 extra copies of the above bill.

On motion of Mr. Osborne of Sunapee at 12 o'clock the House took a recess until 2:55 o'clock.

(After recess)

On motion of Mr. Osborne of Sunapee at 3:14 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 65, An act relating to the superior court.

House Bill No. 96, An act relating to liquor laws.

House Bill No. 214, An act amending the charter of the city of Nashua.

House Bill No. 284, An act relative to emergency borrowing for the State.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

Severally read a third time and passed and sent to the Senate for concurrence.

### RESOLUTION

Mr. Carlton of Fremont offered the following resolutions:

WHEREAS this House has learned with sorrow of the death of former Councillor Stephen A. Frost, of Fremont, New Hampshire, who was also a former member of this General Court, be it then

*Resolved*, That we, the members of the New Hampshire House of Representatives hereby express our appreciation of his character as a loyal son of New Hampshire and his service in the well-being of the state, and be it

*Further resolved*, That the Clerk be instructed to transmit a copy of these resolutions to his bereaved family.

AUSTIN E. CARLTON,  
IRVING W. MARSTON,  
GEORGE M. CURRIER,  
*Committee on Resolutions.*

On motion of Mr. Seavey of Rochester at 3:20 o'clock the House adjourned.

---

THURSDAY, FEBRUARY 7, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 38, An act to amend the charter of Masonic Home.

House Bill No. 56, An act extending the provisions of the emergency act relative to attachment, execution sale and mortgage foreclosure.

House Joint Resolution No. 27, Joint resolution providing for the collection, publication and distribution of certain early state and provincial records.

House Joint Resolution No. 28, Joint resolution authorizing the repair of certain provincial records.

The report was accepted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 289, An act providing for state aid on Class II or Class V highways, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by adding at the end thereof the following: provided however, that in case any town, city or unincorporated place has an uncompleted portion of Class

II highway and the amount to which said town, city or place is entitled under the provision hereof is more than sufficient to complete said highway, and the town, city or place elects to so complete said highway and there is an unexpended balance of said allotment upon the completion of said road, in such event said town, city or place shall be entitled in addition to the amount already expended to such portion of the allotment to which said town, city or place would have been entitled for Class V highways as the unexpended balance of the allotment for Class II highways bears to said total allotment for Class II highways, so that said section as amended shall read as follows: 3. *General Provisions.* Amend section 18 of said chapter 84 by striking out said section and inserting in place thereof the following: 18. A town, city or unincorporated place through the county commissioners, may make application to the highway commissioner for state aid for either Class II or Class V highways. No town, city or unincorporated place shall receive such aid for both such classes of highways in any one year, provided however, that in case any town, city or unincorporated place has an uncompleted portion of Class II highway and the amount to which said town, city or place is entitled under the provision hereof is more than sufficient to complete said highway, and the town, city or place elects to so complete said highway and there is an unexpended balance of said allotment upon the completion of said road, in such event said town, city or place shall be entitled in addition to the amount already expended to such portion of the allotment to which said town, city or place would have been entitled for Class V highways as the unexpended balance of the allotment for Class II highways bears to said total allotment for Class II highways.

Amend section 9 of said bill by striking out the words, "and any town failing to maintain such roads after improvement shall not be eligible for further allotment of state funds until such roads have been maintained to the satisfaction of the commissioner," in the twenty-fifth, twenty-sixth and twenty-seventh lines, so that said section as amended shall read as follows: 9. *Regulations Regarding.* Further amend said

chapter 84 by adding after section 26 the following new sections: 26-a. *Local Contribution*. Any city or town, or county commissioners for any unorganized town or place that desires to apply for aid upon Class V roads, shall raise or set aside an amount equal to 25% of the apportionment made to such city, town or place under section 26. In no case shall the town's share exceed the amount that would be set aside or raised by the town under section 19, which is the amount the town must raise to secure state aid for Class II roads. 26-b. *Application for Aid*. Application for such aid on Class V highways in any year and notice of the setting apart of such sum by any city or town or by the commissioners of any county for an unorganized place, shall on or before May 1 of such year be made to the highway commissioner in the manner provided by regulations prescribed by him. 26-c. *Expenditures*. The sum hereby set apart by a city, town or unincorporated place under the provisions of section 26-a, with the amount apportioned by the highway commissioner as provided by section 26, shall constitute a joint fund and shall be expended for the improvement and maintenance of rural post roads and/or Class V highways by the towns and cities under the supervision of and on locations approved by the highway commissioner. No city or town shall expend more than fifteen hundred dollars for each mile of road improved in any one year from funds provided under this act, except by written permission of the commissioner. 26-d. *Maintenance*. All Class V roads improved with state aid as herein provided shall be maintained by the city or town or place within which they are located, at its expense. 26-e. *Notice to Towns*. On or before February fifteenth in each year the highway commissioner shall give notice to all towns of the amounts to which they would be entitled for state aid for the construction of Class II and Class V highways.

The report was accepted.

Mr. Neal of Meredith moved that the reading of the amendments be dispensed with.

On a *viva voce* vote the motion did not prevail.



The amendments were adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Callahan of Keene the rules were suspended and the bill made in order for its third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 134, An act relating to the practice of dentistry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. McNeil of Portsmouth the rules were suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 7, Joint resolution in favor of Lawrence Carpenter, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 119, Joint resolution in favor of Nora Gillespie of Hooksett, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company, with the recommendation that the bill be referred to the Committee on Banks.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Banks.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 298, An act relative to furnishing information to prosecuting officers, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 299, An act repealing Chapter 259 of the Public Laws of 1909, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 119, An act adding the Bible to the public school curriculum, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 37, An act to amend the fish and game laws of the State of New Hampshire relating to the preservation of the fish in Goose pond, a lake located in Canaan, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 77, An act to close Greenwood lake in the town of Kingston to ice fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 84, An act changing the name of Long pond in the town of Croydon, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 85, An act to close Gorham pond in the town of Dunbarton to ice fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries

and Game, to whom was referred House Bill No. 17, An act to close Little Massabesic pond in the town of Auburn to ice fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 30, An act relating to food for prisoners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 31, An act for the protection of persons under arrest, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 36, An act providing for adequate pensions to certain aged citizens and for ways and means of raising the required revenue, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Daniel of Manchester moved that the bill and accompanying report be laid upon the table.

On a *viva voce* vote the motion did not prevail.

On a *viva voce* vote the resolution reported by the committee was adopted.

#### RESOLUTIONS

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it

be to meet tomorrow morning at 9:00 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Ahern of Concord:

*Resolved*, That the Clerk be instructed to procure 500 additional copies of:

House Bill No. 294, An act relating to neglected and delinquent children.

House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more efficient and effective administration of justice therein.

On motion of Mr. Hart of Wolfeboro:

*Resolved*, That the Clerk be instructed to procure extra copies of such bills as are in general demand.

On motion of Mr. Callahan of Keene at 11:50 o'clock the House adjourned.

---

FRIDAY, FEBRUARY 8, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 8, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Hoyt of Sandwich at 9:01 o'clock the House adjourned.

---

MONDAY, FEBRUARY 11, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:



Bath, N. H., February 11, 1935.

Mr. George A. Maxham  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House  
adjourned.

---

TUESDAY, FEBRUARY 12, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

The following letter was read by the Clerk.

Bath, N. H., February 12, 1935.

Mr. William J. Ahern  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Tuesday. Will  
you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

#### LEAVES OF ABSENCE

Mr. Smart of Tilton was granted leave of absence for the  
day on account of illness.

Mr. Bagley of Berlin was granted leave of absence for the  
week on account of illness.

#### RESOLUTION

On motion of Mr. Buffum of Dunbarton:

WHEREAS this, the twelfth day of February, 1935, is the  
126th anniversary of the birth of Abraham Lincoln—a day

not yet recognized by law as a holiday in the State of New Hampshire, and

WHEREAS, the citizens of this State in common with citizens of other States of the Union hold this day to be an occasion of especial significance in our national life, therefore,

*Be it resolved*, That this House of Representatives hereby memorialize the event, and pay tribute to the memory of this great American.

Mr. McDonough of Dover offered a resolution which was ruled not in order.

Mr. McDonough appealed from the decision of the Chair.

The question being

Is the Speaker's decision correct?

On a *viva voce* vote the Speaker's decision was sustained.

## COMMITTEE REPORTS

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 255, An act relating to local option and the traffic in intoxicating liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Greenfield of Rochester for the Committee on Insurance, to whom was referred House Bill No. 162, An act relating to foreign insurance companies and their agents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Greenfield of Rochester for the Committee on Insurance, to whom was referred House Bill No. 286, An act relating to powers of Governor and Council, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Thayer of Epping for the special committee consisting of the delegation from the county of Rockingham to whom

was referred House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the constitution by the United States of America, with the recommendation that the bill be referred to the Committee on National Affairs.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on National Affairs.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 301, An act relating to the Public Service Commission, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 302, An act relative to the perambulation of town lines, with the recommendation that the bill be referred to the Committee on Towns and Counties.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Towns and Counties.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 303, An act to reimburse the federal government for emergency conservation work on state land, with the recommendation that the bill be referred to the Committee on Forestry.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry.

Mr. Keefe of Dover for the Committee on Rules, reported

the following entitled bill, House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service commission, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 305, An act to revise and amend the fish and game laws, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 306, An act to create a fish and game commission and to define its powers and duties, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Hunter of Hanover moved that the rules be suspended to allow the presentation of a report from a committee which had not previously been advertised in the journal.

On a *viva voce* vote the motion prevailed.

Mr. McDonough of Dover called for a division.

(Discussion ensued)

A division being taken the vote was declared to be manifestly in the affirmative.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 307, An act requiring certain claims against the state to be presented for payment on or before March first, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 213, An act relating to the sale of certain alcoholic beverages, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 213, An act relating to the sale of certain alcoholic beverages, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

ESTHER C. BIXBY,  
WILFRED S. LARIVIERE,  
M. J. DWYER,  
W. B. CONNOR,  
GEORGE J. PHELAN.

Mr. Malloy of Nashua moved that the report of the minority be substituted for the report of the majority.

The question being on the substitution.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. Malloy called for a division.

A division being taken 191 members voted in the affirmative and 154 members voted in the negative and the motion for substitution prevailed.

The bill was then ordered to a third reading.

Mr. Hunter of Hanover asked permission to present the report of recess commission to study real estate transactions.

Mr. Hunter of Hanover presented the following report.  
*To the Legislature of 1935:*

The acts of 1933, chapter 269, provided for a recess commission to study real estate transactions, which commission should report to the present legislature its findings and recommendations as to the expediency of enacting laws relative to real estate transactions. A copy of this act is hereto at-



tached. This commission was not provided with funds either for compensation or expenses. Notwithstanding this your commission made a careful study which was as exhaustive as such a research demands. We beg to report as follows:

A questionnaire was sent to each secretary of state of the various states in the United States for the purpose of ascertaining in what states there were laws to license real estate brokers, what obstacles were encountered in passing laws where there were such statutes and what was the greatest influence in obtaining such legislation. We also requested a copy of acts where in force. We found 28 states so licensed and a variety of acts. It was evidenced that at such time as when a reasonable majority of real estate brokers approved such legislation the resistance was removed and the legislation provided. These 28 states represent approximately 70% of the population of the United States.

Through various methods of inquiry we ascertained that there were instances of malpractice in New Hampshire. The commission has on file instances of unethical practices forwarded from the Governor and other sources. The Agriculture Commissioner has on file similar matters. Cases have been brought to the attention of the State Development Commission. From a reader of the Troubadour, the State Development Commission magazine, a case was introduced.

On November 27, 1934, a hearing was held at Representatives' Hall, State House, between the hours of 10:30 a. m. and 3:30 p. m. This hearing was given publicity through the daily and weekly papers of the State. There were some 30 in attendance and there were no opponents to enactment of legislation for registering or licensing real estate brokers. Those in attendance were all real estate brokers and each one was asked to express himself. There was a strong unanimous approval. Introduced at this hearing were letters from 7 expressing themselves as being in favor of a licensing system.

Not being satisfied with the opinion of so small a number, questionnaires were sent to a list of all the real estate brokers

in the state taken from the New Hampshire Register, a business directory, and from a list of names supplied by town clerks who apparently conducted real estate brokerage. 476 such questionnaires were mailed with postage for return reply. Returns came from 222 showing 48 were not real estate brokers. 5 were returned by Post Offices. Of 174 signifying real estate brokerage as their profession, 6 did not respond as to being for or against a licensing system. 147 favored licensing and 21 stated they were against licensing, or 12% opposed. The questionnaire called for reasons for or against licensing. Those reasons given against licensing were such as could be reasonably offset by findings of your commission.

Your commission attempted to obtain at its hearing in event there were enacted a licensing system, suggestions as to nature of registration fee, penalty for violation and wording of act. Fees mentioned ranged from \$10. to as high as \$100. Penalties of various types were suggested, even as high as \$1,000. or imprisonment, or both. House Bill No. 288, 1933 legislature was read and seemed more or less satisfactory to the majority of those present.

We quote from certain questionnaires returned by various officials of states which are somewhat typical of those received from all officials:—

*Florida Real Estate Deputy Commissioner:* "The benefits of the law are measured by the amount of mischief to which it puts an end by the encouragement it gives to honest and upright dealing."

*California Real Estate Commissioner:* "Brokers know that the knowledge by commission of irregular practices will bring investigations and this restricts such practices."

*Arizona Real Estate Commissioner:* "Has been in existence long enough to demonstrate that it has been of great benefit to the investing public."

*Oregon Real Estate Commissioner:* "Permit me to say unhesitatingly that the Real Estate Brokers' Law has put a new front on the real estate vocation in this state."

*New Jersey Real Estate Commissioner:* "The aid of the

commission was sought by a number of people many of whom were making their first purchase of property located in this State, doubtless with the intention of becoming residents."—and further—"The service to the citizens of the state where unfairly treated, shows convincingly the need and importance of the law."

*The Chief Investigator of the Michigan Securities Commission:* "The law has been a great benefit to the public of Michigan and has raised the standard of the real estate profession." In a letter this same official says: "New Hampshire needs this law. It will not only be a protection to the public but will so regulate the real estate vocation that honest, conscientious and ethical business dealings will be practiced by those licensed under it."

A Circuit Judge in Detroit states that there is less litigation involving real estate in his county circuit at present than at any time since he became a judge. He believes that this condition is due to the enforcement of the real estate license law.

The New Hampshire Real Estate Association at its spring meeting, April 5, 1934 passed a unanimous resolution favoring a licensing act. The State Grange at its annual meeting at Laconia in December, 1934, passed a resolution favoring licensing of real estate brokers—"Because the violation of real estate ethical practices acts against the economic development of the state."

As a result of the hearing, questionnaires to foreign state authorities, questionnaires to real estate brokers throughout the state, resolutions as hereinbefore mentioned, evidences of malpractice and otherwise your commission unanimously recommends that it appears expedient to enact a law for the purpose of registering real estate brokers. Herewith attached is a suggestion for the wording of such an act. The commission did not make use of its power to summons witnesses to testify under oath and to produce papers because the information it otherwise obtained seemed sufficient to make its recommendations. Attached hereto is a copy of an act as suggested for consideration.

The subject of registration fee might be an open one. We are definite that there should be no addition of state departments creating a charge against the state tax; and that the fees should be sufficient to make the administration of such an act self-supporting. We believe the fees as incorporated in the act suggested will fully produce sufficient income. In other states where the fees range from \$5. to \$25., the majority are at \$10.; in some instances at a lower amount for subsequent years following the initial year of registration; the majority of states have a salesman fee of \$5. The insurance commissioner estimates the cost of administration at between \$2,000. and \$2,500. Evidence from such a source is of value because the costs would somewhat parallel those of the Insurance Department. The matter of penalty follows that prescribed relative to the act regulating insurance companies and agents.

In the act presented for consideration the Insurance Commissioner is named as the administrator. We leave this open to change. He is receptive to administering the act at no remuneration to himself and no additional cost except for the absolute expense of administration. The most popular form of organization in other states leaves the administration in a real estate commission of three to five persons appointed by the Governor, providing that the commissioners must have been engaged as real estate brokers over a period of years. There is a possible objection to regulation by a group of men connected with the business being regulated. However, experience in other States indicates no evil practices either as regards undue prosecution, or laxity in prosecution, or otherwise. At the hearing the administration by the Insurance Commissioner was apparently acceptable to the majority. One suggested the Secretary of State as the officiating head. One other mentioned a commission made up of the insurance commissioner, the agricultural commissioner and a real estate broker. This seems sound as to administrative, operative and judicial control.

The act as presented carries no intent to regulate the profession of real estate brokers. It is not unduly restraining;



does not affect the individual buying or selling for himself or through his lawful attorneys, trustees, etc. It is not a hardship to the profession. It does not call for an examination either oral or written, as in some states. It requires reasonable evidence of honesty and punishes the dishonest operator, but not without full recourse to the courts, thus preserving the individual's honest rights.

The public generally are uninformed, unskilled and unguarded when it comes to dealing in real estate; most sales are through brokers. Our courts do not protect, except by costly procedure. At times the amount involved, while important to the individual and representing life-savings, is too small to warrant the expense of common law suit. A properly drawn law requiring the registering of real estate brokers would provide protection and redress without court expense.

The testimony from states having license laws is very strong as to benefit to the public. As mentioned in the State Grange Resolution such an act has an economic advantage. The State Development Commission, to properly function in connection with its many inquiries from state advertising seriously needs the advantages gained by such regulation.

At the present time there is a decided trend, and indications point to a continuance of such trend of migration from the cities to the country. New Hampshire resources offer excellent inducement in connection with this movement. It behooves us to set our house in order by preparing a protection for the outside buying public. In so doing, we are aiding in the creation of new taxable valuations, as also assisting in the accumulation of additional buying power. Such a movement would seemingly aid in assisting welfare work by the addition of employment dollars. Vermont, our sister state, has such a license law and has much the same to offer buyers as we have; we should squarely meet this competition.

If such an act does any good at all, it seems worthwhile, especially so long as it is not a hardship for real estate brokers, and is not a charge against the property tax. Such legislation appears to be properly within the field of state juris-



diction because the real estate profession is of a fiduciary nature and has been the medium of a certain amount of fraud. In properly written form its constitutionality has been upheld.

When an investment is made in what the buyer thinks will be a home and finds that he has been swindled, there is cause for grave dissatisfaction. For this reason and others as herein enumerated, society has great interests at stake. It has seemingly a duty to protect the public by a reasonable supervision. Your commission therefore begs leave to submit its unanimous recommendations for a registering or licensing act within the limitations more or less similar to the one presented.

Respectfully submitted,

H. STEWART BOSSON,  
*Chairman,*  
ANDREW L. FELKER,  
*Clerk,*  
EDGAR H. HUNTER.

The report was accepted.

On motion of Mr. Hunter of Hanover the Clerk was directed to procure 500 copies of the foregoing report in pamphlet form.

Mr. Neal of Meredith for the Committee on Elections, to whom was referred the petition of Samuel L. Henderson of Ward 1, Dover, praying for a seat in the House of Representatives, reported the same with the following resolution:

*Resolved*, That the petition be granted and that a certificate of election be issued to the said Samuel L. Henderson.

The report was accepted.

The undersigned, a minority of the Committee on Elections, to whom was referred the petition of Samuel L. Henderson of Ward 1, Dover, praying for a seat in the House of Representatives, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That the petition be not granted, that no certifi-

cate of election be issued to the said Samuel L. Henderson, and that Fred Coffin retain his seat in the House.

CHARLES L. MERRILL,

FRANK N. KEYSER,

*A minority of the Committee.*

Mr. Davis of Conway moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Davis.

(Discussion ensued)

Mr. Osborne of Sunapee moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Davis of Conway.

Mr. Davis demanded the yeas and nays and the roll was called with the following results:

YEAS, 197

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Abbott of Derry, Currier, Hepworth, Pillsbury, Benton, Cilley, Russell of Exeter, Stevenson, Carlton, Brackett, Little of Hampstead, Perkins of Hampton, Janvrin, Adams of Londonderry, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Allen, Tucker, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Rose, Marston of Rye, Manor, Peever, Adams of Seabrook, Floyd, Chase, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Keenan, Garland, Neal of Dover, Henderson of Durham, Emerson of Rochester, Greenfield, Seavey, Tighe, Elson.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Hunt, Page, Hoyt of Laconia, Stafford, Merrill of Laconia, Dow, Plaistrige, Wallis.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Russell of Conway, Gale, Banfield, Hoyt of Sandwich, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Danforth of Bradford, Shaw, Kemp, Blood, Boutwell, Mansur, Blake,

Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Buffum, Bean of Franklin, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Van-core, Connor, Cloues.

HILLSBOROUGH COUNTY: Putnam of Antrim, Locke of Deering, Chandler of Francestown, Avery, Matheson, Sym, Crowell, Boynton, Craine, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Bergholtz, Gage, McIntire, Maker, Howison, Wadleigh, Weston, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur, Baker, Thompson of New Ipswich, Mercer, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Appleton, Firmin, Hanson, Kimball, Hammond, Perry of Jaffrey, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Rice, Granger, Randall, Britton, Horner, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Etsler, Leahy, Johnson, Cutting, Barton, Read of Plainfield, Emerson of Washington.

GRAFTON COUNTY: Remick, Mitchell, Graham, Sawyer of Franconia, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Scruggs, Marden, Hathorn, Hoyt of Lebanon, Jones of Lebanon, Millen, Perley, Legassie, Bishop, Parker, Lewis, Magoon, Simpson of Littleton, Grant, Lufkin, McLean, Averill.

COOS COUNTY: Brungot, Dahl, Martel, Ramsay, Gray, Stiles, Willis, Towle, Morris, Thompson of Lancaster, Cole, Phelan, Fuller of Stewartstown, Whitcher.

#### NAYS, 191

ROCKINGHAM COUNTY: Dagan, Fogg, Thayer, Lyford, Sheehy, Pickering, Turcotte of Newmarket, Walker, Barrett, Dondero, Kittredge, Buckley, McNeil, Eliot of Raymond.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Chabot, Durkin, Howard of Dover, Hall of Dover, Keefe, McDonough of Dover, Durnin, Gelinas of Farmington, Le-favour, Elliott of Madbury, Tanner, Gotts, Morgan of Roch-

ester, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Lagueux, Hodsdon, Boucher, Deschenes, Flanagan, Robinson of Somersworth.

BELKNAP COUNTY: Varney, Beane of Laconia, Dodge, Guay, Alfred L., of Laconia, Carroll, Cantin, Simpson of Laconia, Gordon, Neal of Meredith.

CARROLL COUNTY: Lyman, Weeks.

MERRIMACK COUNTY: Courtemanche, Tallman, Coakley, Matott, Lee, Ahern, Donovan, Ford, Demers, Piper of Franklin, Carignan, Lemire, Dempsey, Lafond, Colburn, Turgeon, Warren, Perkins of Pittsfield, Sanborn, Howard of Wilmot.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Charois, Barry of Manchester, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Betley, Clancy of Manchester, Ward 5, Creighton, Healy of Manchester, Ward 5, Sweeney of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Connelly, Healy of Manchester, Ward 6, Jordan, Sullivan of Manchester, Cote, Farrell, Gagnon, Peloquin, Turcotte of Manchester, Bolton, Bouthiette, Gelinas of Manchester, Holleran, McDonough of Manchester, Moran of Manchester, Richard, Driscoll, Levallee, Gallagher, Gaudreault, Getz, Kearns, McLaughlin, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Ladouceur, Lambert, Lariviere, Barnes, Woods, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Dugan, Dion, Maynard, Fournier, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Molloy, Bouthillier, Desmarais, Jones of Pelham.

CHESHIRE COUNTY: Clark, Keating, Shea, Roche, Bullock, Graves, Kiniry, Perry of Swanzey.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Freeman of Claremont, Hosking, Quimby, Thomas, Reney, Bailey, Cummings of Newport, Farmer, Osborne, Cram.

GRAFTON COUNTY: Goodwin of Bethlehem, Bowles, Williams, McNamara, Burgault, Merrill of Plymouth, Sawyer of Woodstock.

COOS COUNTY: Barden, Bell, Mason, Smith of Berlin, Henderson of Berlin, Ordway, Palmer, Sullivan of Berlin, Bixby, Dugas, Myler, Lombard, Whitecomb, Chandler of Gorham, Hancock, Marshall, Judd, Fuller of Stratford.

Mr. Cummings of Peterborough, voting yes, paired with Mr. Sanderson of Pittsfield, voting no.  
and the motion to substitute prevailed.

The question being on the resolution reported by the committee that Fred Coffin retain his seat.

On a *viva voce* vote the resolution was adopted.

Mr. Kimball of Hinsdale for the Committee on Elections, to whom was referred the petition of Dennis E. Brennan of Ward 2, Rochester, praying for a seat in the House of Representatives, reported the same with the following resolution:

*Resolved*, That the petition be granted and that a certificate of election be issued to the said Dennis E. Brennan.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution reported by the committee.

Mr. Morgan of Rochester demanded the yeas and nays.

On motion of Mr. Leahy of Claremont the vote whereby the previous question was ordered was reconsidered.

Mr. Leahy withdrew his motion for the previous question.

The question being on the resolution reported by the committee.

(Discussion ensued)

On motion of Mr. Neal of Meredith at 1:30 o'clock the House took a recess for one hour.

(After recess)

The question being on the resolution reported by the committee.



(Discussion ensued)

Mr. Neal of Meredith moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution reported by the committee.

Mr. Morgan of Rochester demanded the yeas and nays and the roll was called with the following result.

#### YEAS, 176

ROCKINGHAM COUNTY: Stevens of Brentwood, Fogg, Currier, Hepworth, Pillsbury, Brackett, Lyford, Sheehy, Turcotte of Newmarket, Walker, Barrett, Kittredge, Buckley, Floyd.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Hall of Dover, Keefe, Durnin, Henderson of Durham, Elliott of Madbury, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Seavey, Hodsdon, Boucher, Deschenes, Flanagan, Robinson of Somersworth.

BELKNAP COUNTY: Varney, Hunt, Guay of Laconia, Carroll, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Neal of Meredith, Plastridge.

CARROLL COUNTY: Simpson of Bartlett, Davis, Russell of Conway, Thompson of Effingham, Gale, Lyman, Banfield, Young.

MERRIMACK COUNTY: Courtemanche, Shaw, Coakley, Boutwell, Blake, Dame, Tilton, Freeman of Concord, Ahern, Donovan, Ford, Buffum, Demers, Carignan, Bean of Franklin, Dempsey, Peaslee of Henniker, Lafond, Stobie, Colburn, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Connor.

HILLSBOROUGH COUNTY: Putnam of Antrim, Gilson, Charois, Boynton, Wilson of Hollis, Emery, Wilson of Manchester, Barnard, Bergholtz, Graf, McIntire, Dwyer, O'Reilly, Talty, Tobin, Corey, Healy of Manchester, Ward 5, Connelly, Sullivan of Manchester, Cote, Gagnon, Bernier, Bolton, Moran of Manchester, Driscoll, Gaudreault, Getz, Kearns, Roukey, Aubin, Brouillette, Lambert, Lariviere, Barnes, Woods, Ber-

nard, Dion, Maynard, Fournier, Ravenelle, Maddox, Burque, Cormier, Molloy, Bouthillier, Desmarais, Thompson of New Ipswich, Cummings of Peterborough, Mercer.

CHESHIRE COUNTY: Appleton, Firmin, Hanson, Hammond, Perry of Jaffrey, Hetherman, Keating, Roche, Wiswall, Granger, Perry of Swanzey, Graves, Kiniry, Britton, Horner, Read of Winchester.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Freeman of Claremont, Hosking, Quimby, Stetson, Thomas, Reney, Farmer, Osborne, Cram, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Sawyer of Franconia, Keyser, Merrill of Haverhill, McNamara, Legassie, Bishop, Parker, Lewis, Magoon, Simpson of Littleton, Burgault, Grant, Merrill of Plymouth, Sawyer of Woodstock.

COOS COUNTY: Barden, Bell, Mason, Smith of Berlin, Palmer, Dahl, Bixby, Lombard, Whitcomb, Stiles, Willis.

#### NAYS, 144

ROCKINGHAM COUNTY: Dagan, Stevens of Candia, Thayer, Cilley, Stevenson, Carlton, Perkins of Hampton, Janvrin, Adams of Londonderry, Estabrook of Newton, Marston of North Hampton, Peaslee of Plaistow, Allen, Pray, Tucker, Yeaton of Portsmouth, McNeil, Harmon, Abbott of Portsmouth, Rose, Eliot of Raymond, Manor, Peever, Adams of Seabrook, Chase, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Keenan, Chabot, Howard of Dover, Garland, Neal of Dover, McDonough of Dover, Gelines of Farmington, Lefavour, Tanner, Greenfield, Tighe, Elson.

BELKNAP COUNTY: Little of Barnstead, Page, Beane of Laconia, Stafford, Cantin, Wallis.

CARROLL COUNTY: Mudgett, Hoyt of Sandwich, Clow.

MERRIMACK COUNTY: Munroe, Danforth of Bradford, Tallman, Matott, Kemp, Mansur, Saltmarsh, Sturtevant, Brunel, Wylie, Piper of Franklin, Lemire, Ball, Merrill of Loudon, Vancore, Sanborn, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Locke of Deering, Avery, Mathe-

son, Sym, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Knowlton, Gage, Clougherty, Fitzgerald, Clancy of Manchester, Ward 6, Turcotte of Manchester, Gelinas of Manchester, Gallagher, Sweeney of Manchester, Ward 11, Van Vliet, Soucy, Daniel of Manchester, Ward 13, Ladouceur, Maker, Howison, Wadleigh, Weston, Danforth of Nashua, Boilard, Moran of Nashua, Glynn, Jones of Pelham, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Callahan, Shea, Jones of Keene, Gates, Spaulding, Wardwell, Randall.

SULLIVAN COUNTY: Hutchins, Etsler, Johnson, Cutting, Bailey, Cummings of Newport, Read of Plainfield.

GRAFTON COUNTY: Mitchell, Graham, Hardy, Williams, Guyer, Hunter, Putnam of Hanover, Scruggs, Hathorn, Hoyt of Lebanon, Jones of Lebanon, Millen, Lufkin, Averil.

COOS COUNTY: Ordway, Sullivan of Berlin, Brungot, Martel, Dugas, Myler, Ramsay, Gray, Towle, Morris, Thompson of Lancaster, Cole, Marshall, Judd, Fuller of Stewartstown, Fuller of Stratford, Whitcher.

and the resolution was adopted.

Mr. Kimball of Hinsdale for the Committee on Elections, to whom was referred the petition of William L. Gaffney of Claremont, praying for a seat in the House of Representatives, reported the same with the following resolution:

*Resolved*, That the petition be granted and that a certificate of election be issued to the said William L. Gaffney.

The report was accepted.

On a *viva voce* vote the resolution was adopted.

Mr. Kimball of Hinsdale for the Committee on Elections, to whom was referred the petition of Ernest W. Morgan of Bow, praying for a seat in the House of Representatives, reported the same with the following resolution:

*Resolved*, That the petition be granted and that a certificate of election be issued to the said Ernest W. Morgan.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Davis of Conway demanded the yeas and nays and the roll was called with the following result:

## YEAS, 230

ROCKINGHAM COUNTY: Dagan, Stevens of Candia, Fogg, Hepworth, Thayer, Carlton, Little of Hampstead, Janvrin, Lyford, Sheehy, Pickering, Turcotte of Newmarket, Walker, Estabrook of Newton, Mudge, Barrett, Dondero, Kittredge, Buckley, Eliot of Raymond, Adams of Seabrook, Floyd.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Chabot, Durkin, Howard of Dover, Hall of Dover, Keefe, Durnin, Gelinis of Farmington, Lefavour, Elliott of Madbury, Tanner, Gotts, Emerson of Rochester, Bergeron, Turcotte of Rochester, Dickinson, Seavey, Lagueux, Hodsdon, Boucher, Deschenes, Flanagan, Robinson of Somersworth.

BELKNAP COUNTY: Varney, Beane of Laconia, Carroll, Cantin, Simpson of Laconia, Neal of Meredith.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Thompson of Effingham, Gale, Lyman, Banfield, Hoyt of Sandwich, Weeks, Hilliard, Young, Clow.

MERRIMACK COUNTY: Courtemanche, Reardon, Coakley, Matott, Blake, Dame, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Ahern, Donovan, Buffum, Demers, Carignan, Dempsey, Peaslee of Henniker, Lafond, Stobie, Ball, Colburn, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Sanborn, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Putnam of Antrim, Gilson, Chandler of Francestown, Charois, Wilson of Hollis, Knowlton, Wilson of Manchester, McIntire, Dwyer, O'Reilly, Tobin, Clougherty, Corey, Fitzgerald, Betley, Healy of Manchester, Ward 5, Connelly, Sullivan of Manchester, Gagnon, Bolton, Gelinis of Manchester, Moran of Manchester, Driscoll, Gallagher, Gaudreault, Getz, Kearns, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Soucy, Brouillette, Daniel of Manchester, Ward 13, Ladouceur, Lambert, Lariviere, Barnes, Howison, Wadleigh, Woods, Danforth of Nashua, Bernard, Boilard, Dion, Maynard, Fournier, Moran of Nashua, Ravenelle, Maddox, Burque,

Cormier, Glynn, Molloy, Bouthillier, Desmarais, Thompson of New Ipswich, Jones of Pelham, Cummings of Peterborough, Heald.

CHESHIRE COUNTY: Chickering, Appleton, Firmin, Hammond, Callahan, Hetherman, Keating, Shea, Spaulding, Wardwell, Roche, Wiswall, Bullock, Granger, Perry of Swanzev, Randall, Graves, Kiniry, Britton, Horner, Read of Winchester.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Etsler, Hosking, Quimby, Stetson, Thomas, Johnson, Reney, Bailey, Cummings of Newport, Farmer, Osborne, Cram, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Remick, Bowles, Hardy, Sawyer of Franconia, Williams, Keyser, Jones of Lebanon, McNamara, Legassie, Bishop, Parker, Burgault, Grant, Merrill of Plymouth, Averill, Sawyer of Woodstock.

COOS COUNTY: Barden, Bell, Mason, Smith of Berlin, Ordway, Palmer, Sullivan of Berlin, Dahl, Bixby, Dugas, Myler, Lombard, Gray, Whitcomb, Stiles, Willis, Morris, Marshall, Judd, Fuller of Stratford, Whiteher.

## NAYS, 96

ROCKINGHAM COUNTY: Stevens of Brentwood, Pillsbury, Cilley, Stevenson, Perkins of Hampton, Adams of Londonderry, Marston of North Hampton, Peaslee of Plaistow, Allen, Pray, Tucker, Yeaton of Portsmouth, McNeil, Harmon, Abbott of Portsmouth, Rose, Manor, Peever, Chase, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Keenan, Garland, Neal of Dover, McDonough of Dover, Henderson of Durham, Greenfield, Tighe, Elson.

BELKNAP COUNTY: Little of Barnstead, Hunt, Page, Hoyt of Laconia, Strafford, Merrill of Laconia, Plastridge, Wallis.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Munroe, Danforth of Bradford, Tallman, Shaw, Kemp, Boutwell, Mansur, Saltmarsh, Lemire, Bean of Franklin, Vancore.



HILLSBOROUGH COUNTY: Locke of Deering, Avery, Mathe-  
son, Sym, Crowell, Boynton, Craine, Goodwin of Hudson,  
Smith of Hudson, Daniels of Manchester, Ward 1, Barnard,  
Gage, Graf, Turcotte of Manchester, Maker, Weston, Win-  
slow, Mercer, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Hanson, Jones  
of Keene, Gates.

SULLIVAN COUNTY: Hutchins, Cutting, Barton, Read of  
Plainfield.

GRAFTON COUNTY: Mitchell, Graham, Guyer, Hunter, Put-  
nam of Hanover, Merrill of Haverhill, Scruggs, Marden, Ha-  
thorn, Hoyt of Lebanon, Millen, Lewis, Magoon, Simpson of  
Littleton, Lufkin, McLean.

COOS COUNTY: Brungot, Ramsay, Towle, Cole, Fuller of  
Stewartstown.

and the resolution was adopted.

The Committee on Judiciary was given permission to sit  
during the remainder of to-day's session.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk an-  
nounced that the Senate had voted to concur with the House  
of Representatives in the passage of the following entitled  
bill and joint resolutions, sent up from the House of Repre-  
sentatives:

House Bill No. 18, An act to establish a new apportion-  
ment for the assessment of public taxes.

House Joint Resolution No. 27, Joint resolution providing  
for the collection, publication and distribution of certain  
early state and provincial records.

House Joint Resolution No. 28, Joint resolution author-  
izing the repair of certain provincial records.

#### RESOLUTIONS

On motion of Mr. Guay of Laconia:

*Resolved*, That the Clerk be instructed to procure 1,000  
extra copies of House Bill No. 305, An act to revise and amend  
the fish and game laws, and 500 extra copies of House Bill

No. 306, An act to create a Fish and Game Commission and to define its powers and duties.

On motion of Mr. Coakley of Concord:

*Resolved*, That the order whereby House Bill No. 256 was referred to the Committee on Liquor Laws be vacated, and that this bill be referred to the Committee on Revision of the Statutes.

On motion of Mr. Sturtevant of Concord:

*Resolved*, That the special order assigned for Wednesday, February 13, at 11:01 o'clock, House Bill No. 42, An act in amendment of the charter of the City of Concord be vacated and the bill assigned as a special order for Tuesday, February 19th, at 11:01 o'clock.

On motion of Mr. Osborne of Sunapee at 4:30 o'clock the House adjourned.

#### AFTERNOON

The House was immediately called to order in afternoon session.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Miss Myler of Berlin at 4:35 o'clock the House adjourned.

---

#### WEDNESDAY, FEBRUARY 13, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

The following letter was read by the Clerk.

Bath, N. H., February 13, 1935.

Mr. William J. Ahern,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Wednesday. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

#### LEAVES OF ABSENCE

Mr. Chandler of Gorham was granted leave of absence for the day on account of illness.

Mr. Dame of Concord was granted leave of absence for Thursday, February 14, on account of important business.

Mr. Shepard of New London was granted leave of absence for the week on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 18, An act to establish a new apportionment for the assessment of public taxes.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 108, An act relating to the State Planning and Development Commission, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 by inserting in line 4 after the word "State" the words, Planning and, so that said section as amended will read as follows:

5. *Appropriation.* Any unexpended balance of the appropriations heretofore made for the use of the State Development Commission and the State Planning Board are hereby made available for the use of the State Planning and Development Commission.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 156, An act relating to military drill in school districts, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the whole thereof and inserting in place the following:

An act relating to school districts.

Amend said house bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Districts May Appropriate Money.* A school district may include military drill, physical exercises and supervised athletics in its course of instruction and may raise and appropriate money for those purposes. In any instance where money is raised by a school district for the above purposes, the regularly appointed school authority shall regulate these activities.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 153, An act to provide for liens in favor of hospitals furnishing care, treatment, and maintenance of persons injured in accidents upon the rights of action, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kittredge of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 79, An act relating to the exemption of taxation of the Women's City Club of Portsmouth, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 44, An act relating to elections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 308, An act relative to the public schools in the city of Nashua, with the recommendation that the bill be referred to the Committee on Education.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Molloy of Nashua the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Nashua.

Mr. Wilson of Manchester, for the Committee on Rules, reported the following entitled bill, House Bill No. 309, An act relative to bridges on state-aided highways, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Hunter of Hanover for the Committee on Rules reported the following entitled bill, House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 311, An act to close the South Branch stream of Gale river and Zealand pond stream and their tributaries in the town of Bethlehem



indefinitely to any fishing, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 312, An act legalizing the November election in the town of Carroll, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. O'Brien of Manchester for the Committee on Laconia State School, to whom was referred House Bill No. 209, An act relating to Laconia State School, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service for residents of New Hampshire.

Amend said House Joint Resolution by striking out the words and figures, "three thousand dollars (\$3,000)" in the first line and inserting in place thereof the words and figures, five thousand dollars (\$5,000) so that said resolution as amended shall read as follows: That the sum of five thousand dollars (\$5,000) is hereby appropriated for the payment of bonus to those residents of New Hampshire who would have been entitled to the bonus as provided by chapter 140 of the

Laws of 1919 and chapter 1 of the special session of 1919 and who have heretofore and since June 30, 1926, made application therefor, or who may hereafter make application therefor; and the state treasurer is hereby authorized to make payments therefor for those whose names appear on the records in the office of the adjutant-general as entitled thereto or to the legal representatives or heirs of such as have died; and the governor is authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

On motion of Mr. Osborne of Sunapee the House concurred in the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had passed the following concurrent resolution, in the passage of which it asked the concurrence of the House of Representatives:

Memorial to the Congress of the United States, urging the elimination of the taxation of gasoline by the Federal government.

WHEREAS, The Congress of the United States of America has imposed a tax upon all sales of gasoline; and

WHEREAS, The State of New Hampshire and all other several states of the United States have already imposed taxes upon such sales; and

WHEREAS, The federal tax on such sales is untimely and prohibitive and, coupled with the respective state taxes on such sales, places a burden upon the users of gasoline beyond that which they should carry and beyond that which the traffic can legitimately bear; and

WHEREAS, The taxation of sales of gasoline should properly be left to the exclusive use of the states as a means of providing funds for road construction and maintenance, now, therefore, be it

*Resolved:* By the Senate of the State of New Hampshire the House of Representatives concurring therein, that the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed such legislation as may be necessary to abolish the federal gasoline sales

tax and to surrender to the states exclusively the power to tax such sales in the future, and be it further

*Resolved:* That certified copies of this resolution duly certified by the Secretary of State be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States and the Senators and Representatives in Congress from the State of New Hampshire, and that the latter be urged to use their best offices to procure the enactment of such legislation as will accomplish the purposes of this resolution.

The resolution was read a first and second time and referred to the Committee on Judiciary.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

The bill was read a first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS

On motion of Mr. Thompson of New Ipswich,

*Resolved,* That this House has learned with sorrow of the death of the son of Charles L. Barnes, representative from Mason, and

*Be it further resolved,* That the Speaker appoint a committee of five to prepare suitable resolutions expressing the sympathy of the members to Mr. Barnes in his bereavement.

The Speaker appointed as members of such committee Mr. Thompson of New Ipswich, Mrs. Charois of Greenville, and Messrs. Bullock of Richmond, Etsler of Claremont, Gilson of Brookline.

Mr. Wilson of Manchester offered the following resolution:

WHEREAS, The Second Interstate Assembly has been called

by the Council of State Governments and the American Legislators' Association, to be held on Thursday, Friday, and Saturday, February 28 and March 1 and 2, 1935, at the Mayflower Hotel, Washington, D. C., to consider Federal and State tax policies on the basis of the recommendations submitted by the Interstate Commission on Conflicting Taxation, which was established two years ago by the First Assembly; and

WHEREAS, It is apparent that substantial benefits would result from closer contacts between the Legislative and Administrative Divisions of the various State Governments, and that many Governmental difficulties are aggravated by the absence of adequate facilities for Conference between these bodies; and

WHEREAS, The present economic emergency creates an imperative necessity now emphasized by the President's Program of Economic Security for joint council and concerted action; and

WHEREAS, It is believed that the moment has now arrived for establishing adequate means for communication and conference between the States and the Federal Government; and

WHEREAS, The House of Representatives of this State is invited to send as its delegates to this conference a delegation of its members, to be chosen in such manner as this body may determine; therefore

*Be it resolved*, That the House of Representatives of the State of New Hampshire hereby authorizes and instructs the Speaker to appoint two members in addition to himself as a Delegation to the Interstate Assembly, which convenes in Washington, D. C., on February 28, 1935. Such delegation shall be without power to commit the House of Representatives to action; and

*Be it further resolved*, That the said delegation shall be entitled to reimbursement for its reasonable expenses upon presentation of the proper statement of such expenses, the same to be charged to the appropriation for legislative expenses; and

*Be it further resolved*, That the Clerk of the House im-

mediately advise the corresponding secretary of the conference in care of the American Legislators' Association, Drexel Avenue and Fifty-eighth Street, Chicago, Illinois, of the appointment of such delegation.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

The following was received from the family of our late member, Representative Thomas J. Guay of Laconia.

The family of Thomas J. Guay acknowledges with grateful appreciation your kind expression of sympathy.

On motion of Mr. Pray of Portsmouth at 11:40 o'clock the House adjourned.

#### AFTERNOON

The House met at 3 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 108, An act relating to the state planning and development commission.

House Bill No. 156, An act relating to school districts.

Severally read a third time and passed and sent to the Senate for concurrence.

Messrs. Brennan of Rochester, Gaffney of Claremont, and Morgan of Bow having qualified before His Excellency the Governor, appeared during the session and took their seats as members of the House.

On motion of Mr. Donovan of Concord at 3:08 o'clock the House adjourned.

---

#### THURSDAY, FEBRUARY 14, 1935.

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

The following message was delivered by His Excellency, the Governor.



## GOVERNOR'S MESSAGE

The budget law of 1931 requires the Governor to transmit not later than February 15th a budget setting forth his financial program for each of the fiscal years ensuing. It so happens that I am the first new incoming Governor to come under the requirements of this Act. Last December Governor Winant called budget meetings as required by the law. After conferring with the Comptroller, the President of the Senate, the Speaker of the House, the House Appropriations Committee and the Senate Finance Committee, it was generally agreed upon that in order to expedite the business of the session and for a better understanding of the financial needs of the various Departments and Institutions, that it would be better to submit the requests of the Departments and Institutions as prepared by the Comptroller, to the Appropriation Committee of the House and the Finance Committee of the Senate, so that they might hold hearings at once rather than wait until after February 15th. The hearings are now in progress.

In the short time after election to February 15th it would seem to me that it is rather difficult for a new incoming Governor to prepare an intelligent and sound recommendation for financing the succeeding two years, and after consultation with members of the Appropriation and Finance Committees who have served in previous Legislatures, it is my opinion that a better budget can be formed by co-operation and consultation between the Appropriation and Finance Committees and the Governor. Therefore in my message of today I shall confine my remarks to the general financial situation of the State.

As you probably realize, since the depression started there has been a gradual shrinkage of the State's income for general purposes, and this shrinkage has upset calculations of the Legislature to quite an extent. To show you that this shrinkage still continues, the Comptroller's index reveals that the income on certain standard recurring items for the six months ending December 31, 1934 was about \$62,000 less than for the same six months the preceding year.

The result of the shrinkage caused a budget deficit of \$97,000 for the fiscal year 1934. This added to the budget deficit of July 1, 1933 makes the deficit \$124,000 as of June 30, 1934.

It is of course unknown how much longer time the income of the State will be on the downward trend, but when we consider this fact with the fact that the cost of the Institutions is increasing, it is probable that the accumulated budget deficit of June 30, 1935 will exceed \$400,000.

While the budget has been balanced in the past two Sessions according to the best judgment of the members it is still true that we will have this sizable deficiency and I would ask the proper Committees of the House and Senate to consider methods of handling this situation.

The requests by Departments and Institutions in the budget, as prepared by the Comptroller, call for expenditures for the year ending June 30, 1936, of \$3,821,000. The income as estimated by the Departments will be \$1,673,000. This means it will be necessary to levy a State tax of \$2,148,000 to balance the budget for the year ending June 30, 1936, if all requests are granted. The requests for the second year total \$4,027,000, against this is the estimated income of \$1,706,000, which makes it necessary for a State tax of \$2,321,000 to balance the budget for the year ending June 30, 1937. However, I am absolutely opposed to any such substantial increase in appropriations. It is my belief that many of the requests should be cut very materially.

In regard to requests and bills already introduced for capital expenditures for new buildings, I would recommend that these be held until we know definitely what the Federal program is to be in regard to assistance on such work. It may be advisable if Federal funds are to be available on a very liberal basis to take advantage of this in a reasonable way. But let me impress upon you that we must be very careful to not over-build any Institution, as the increased demands for maintenance must be added to the State tax. With this in mind very careful consideration should be given before proceeding with any such project.

I would also like to mention the Highway financial situation. The Highway Department starts their fiscal year with approximately \$800,000 less funds available than the average for the past five years. If we are to carry on the maintenance work of the trunk lines and State aid roads, it is my belief that very few, if any, special Highway appropriation bills should be passed by this Legislature. We must not adopt the policy of allowing the permanent roads to deteriorate and this is what will happen if money is taken away from the Highway Department to spend on special roads.

May I quote two paragraphs from my inaugural message:

"In making appropriations I call to your attention only two reasons for an increase in appropriations for expenditures for any department or institution. They are: first, emergency conditions; second, expenditures which will be dividend paying investments. This Legislature will be called upon to establish new departments and to continue departments of a temporary nature which have been created as a result of an emergency. I hope in every case that these departments, if continued, will be co-ordinated with existing departments and that existing departments will be reorganized to include these new functions. This should be done in the interest of both economy and efficiency."

"The best definition of economy I know is getting value for each dollar expended. We can accomplish our objective by careful supervision of governmental expenditures, by preventing unwarranted increases in appropriations, and by actual reduction of appropriations and expenditures."

I would like to quote from the recent budget message of the Governor of one of our large States as he expresses a thought I would leave with you in the hope that we proceed along the lines he indicates:

"The people of our State will not expect us to do the impossible but nevertheless I believe that they will demand of us, their chosen representatives, that we cut out all needless costs, that we shall put the State on a sound footing of economy and efficiency, and that we shall obtain maximum returns from the expenditures of public funds."

In closing I would like to say that our State should observe the ordinary precautions of the prudent citizen, who does not spend more than he can reasonably earn and who does not borrow more than he may ultimately be able to pay.

#### LEAVES OF ABSENCE

Messrs. Smart of Tilton, Sanderson of Pittsfield and Hancock of Milan were granted leave of absence for the day on account of important business.

Mr. Winkley of Ossipee was granted leave of absence for the remainder of the week on account of illness.

#### COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March first, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the word "first" and inserting in place thereof the word eleventh, so that said title as amended will read: An act requiring certain claims against the state to be presented for payment on or before March eleventh.

Amend section 1 by striking out in line 6 the following: "March 1, 1935" and inserting in place thereof the following: March 11, 1935; further amend by striking out in line 7 the following: "February 28" and inserting in place thereof the following: March 11, 1935, so that said section as amended will read:

1. Every person having a claim or claims against the state on account of services rendered or goods delivered to the Emergency Relief Administration, established by chapter 160 of the Laws of 1933 must present his claim or claims for payment to the Governor and Council or their duly authorized agents on or before March 11, 1935. Claims for payment received after midnight of March 11, 1935, but bearing a postmark prior thereto, will be accepted. No person having a



claim as aforesaid shall receive payment therefor unless he complies with the provisions of this section.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

(Mr. Leahy of Claremont in the Chair)

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 289, An act providing for state aid on class II or class V highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and state-aided highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Estabrook of Alstead for the Committee on Incorporations, to whom was referred House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.



Amend section 1 by striking out the word "such" in line 10; further amend by striking out the words "as are conferred by institutions of similar character" in lines 10 and 11 and inserting in place thereof the words, of similar grades, so that said section as amended shall read as follows: 1. The Couvent de la Presentation de Marie, a voluntary corporation formed under the provisions of chapter 147 of the Public Statutes of New Hampshire in the year one thousand nine hundred and twenty-five, and carrying on its activities in Hudson in the county of Hillsborough, is hereby authorized and empowered to establish and maintain in the said town of Hudson an institution of learning to be known as Rivier College; to prescribe the rules for the government of the said college and the course of studies to be pursued therein and to confer upon the graduates thereof the degrees of Bachelor of Arts, Bachelor of Science, Bachelor of Education, Bachelor of Music and other degrees and diplomas of similar grades.

The report was accepted and the amendment adopted.

On motion of Mr. Wilson of Manchester the bill was referred to the Committee on Education.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 82, An act relating to the Water Commissioners for the town of Peterborough, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 187, An act providing for a lunch period for women and minors, reported the same with

the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "forty-five" in line 8 and substituting therefor the word thirty so that said section as amended shall read as follows:

1. Chapter 176 of the Public Laws is hereby amended by inserting a new section 17a after section 17 to read as follows: 17a. *Lunch Period.* No female or minor under eighteen years of age shall be employed or permitted to work in any employment as defined in section 14 above in an establishment in which five or more such persons are employed, for more than six hours at one time without an interval of at least thirty minutes for a meal; but such female or minor may be so employed for not more than six and one-half hours at one time if such employment ends not later than one o'clock in the afternoon and if he or she is then dismissed from the establishment for the remainder of the day; or for not more than seven and one-half hours at one time if he or she is allowed sufficient opportunity for eating a lunch during the continuance of such employment, and if such employment ends not later than two o'clock in the afternoon, and he or she is then dismissed from the establishment for the remainder of the day. An employer, superintendent, overseer or agent who violates any provision of this or the preceding section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Further amend by adding a new section 2 to read as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 288, An act relating to wages, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 270, An act relating to the practice of chiropody, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend by striking out the whole of section 1 and inserting in its place the following: Amend chapter 208 of the public laws by inserting before section 1 a new section to read as follows: 1. *Definition.* Within the meaning of this act, a chiropodist is defined as one who treats by medical, mechanical or electrical means including bandaging and strapping, local ailments of the structures of the human foot; or as one who treats by surgical means local ailments of the superficial structures of the human foot. General anaesthetics or amputation of the foot or toes are not permitted. This and the following sections of this chapter shall not apply to surgeons of the United States Army, Navy, or Marine hospital service, nor to physicians and surgeons regularly licensed under the laws of this state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Bill No. 274, An act authorizing the laying out of a state highway in the city of Rochester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 66, Joint resolution for the improvement of a road in Auburn, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 4, An act to control the distribution and sale of milk, reported the same in a

new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Agriculture.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Agriculture.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 247, An act relating to supervisory unions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 197, An act relating to fishing licenses for residents of this State, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following bill, House Bill No. 313, An act relating to the sewer system of the town of Claremont, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 314, An act relating to town elections, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 315, An act relative to aid for dependent mothers, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the joint resolution dispensed with.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 34, An act to regulate the practice of barbering, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill in its new draft read a first and second time and laid upon the table to be printed.

The undersigned, a minority of the Committee on Public Health, to whom was referred House Bill No. 34, An act to regulate the practice of barbering, being unable to agree with the majority reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

ALPHONSINE DUGAS,

*For a Minority of the Committee.*

Mr. Pillsbury of Derry moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Wednesday, February 20, at 11:01 o'clock.

On motion of Mr. Shaw of Chichester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 316, An act



relative to the issue of notes by the county of Merrimack, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Shaw of Chichester the rules were suspended, the printing of the bill dispensed with and the bill referred to a special committee consisting of the delegation from the county of Merrimack.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State board of public health.

House Bill No. 49, An act relative to the discharge of sewage.

#### RESOLUTIONS

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet on Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

By Mr. Wylie of Concord:

WHEREAS, There is a movement throughout this state and the nation at large, known as the Townsend plan, providing for old age pensions of two hundred dollars per month for all persons over sixty-five years of age, and

WHEREAS, The adoption of this plan as a law would retard recovery from the present depression and involve an unprecedented tax burden upon every person in this country causing untold hardship and suffering

*Therefore be it resolved*, That it is the sense of this House that this plan should be rejected by the Congress of the United States whenever it shall be introduced before that body and

*Be it further resolved*, That copies of this resolution be for-

warded by the Clerk of this House to the Senators and Representatives in Congress from this State, to the Speaker of the House of Representatives in Washington and to the President of the Senate of the United States.

The resolution was referred to the Committee on Judiciary.

On motion of Mr. Hunter of Hanover business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Bill No. 187, An act providing for a lunch period for women and minors.

House Bill No. 270, An act relating to the practice of chiropody.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 288, An act relating to wages.

House Bill No. 289, An act providing for state aid on Class II or Class V highways.

House Bill No. 291, An act authorizing the town of Bosca-wen to issue refunding notes or bonds.

House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh.

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

Severally read a third time, passed and sent to the Senate for concurrence.

On motion of Mr. Dodge of Laconia at 12:05 o'clock the House adjourned.

FRIDAY, FEBRUARY 15, 1935.

The House met at 9:00 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 15, 1935.

Mr. George H. Nash,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

On motion of Mr. Maxham of Concord at 9:01 o'clock the  
House adjourned.

---

MONDAY, FEBRUARY 18, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 18, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 7:31 o'clock the House  
adjourned.

---

TUESDAY, FEBRUARY 19, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Messrs. Hunter of Hanover and Pierce of Bennington were  
granted leave of absence for the week on account of illness.

Mr. McNeil of Portsmouth was granted leave of absence for the day on account of sickness.

Mr. Craine of Hillsborough was granted leave of absence for the day on account of attending a funeral.

Mr. Roukey of Manchester was granted leave of absence for the week on account of a death in his family.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 5, An act transferring the regulation of lying-in hospitals to the State board of health.

House Joint Resolution No. 1, Joint resolution relating to payment of bonus in recognition of war service of residents of New Hampshire.

The report was accepted.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 168, An act relative to the staff of the public library commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 287, An act relating to the superior court, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to

whom was referred House Bill No. 144, An act regarding the weekly payment of wages, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by adding at the end thereof the following: Nothing in this section shall be construed so as to deprive any complainant of the right to institute legal proceedings against any person for violation of any of the provisions of this act, so that said section as amended shall read as follows:

2. Section 28, Chapter 175 is hereby amended by striking out said section and substituting in place thereof the following:

28. *Penalty.* The commissioner of labor shall enforce this Chapter and may make complaint against any person for violation of Section 25 within three months after the offense is committed. Whoever violates any provision of this subdivision shall be fined not more than twenty-five dollars for each offense. Each failure so to pay any employee shall constitute a separate offense. Nothing in this section shall be construed so as to deprive any complainant of the right to institute legal proceedings against any person for violation of any of the provisions of this act.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Bill No. 115, An act relating to Meredith Neck road, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 317, An act relating to licensing movie pictures and other shows, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second



time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 318, An act relating to the buying or selling of poultry to be used for food, with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes, with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Agriculture.

Mr. Piper of Franklin for the special committee consisting of the Delegation from the county of Merrimack to whom was referred House Bill No. 316, An act relative to the issue of notes by the county of Merrimack, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### RESOLUTION

On motion of Mr. Wadleigh of Milford:

*Resolved*, That Mr. Putnam of Antrim be allowed the use of this room, Tuesday evening, February 26, for the purpose of entertaining the members and friends of this Legislature with a lecture, "Picturesque New Hampshire," illustrated with slides by direct color photography.

#### COMMITTEE REPORT

On motion of Mr. Wilson of Manchester the rules were suspended to allow the presentation of a report from a com-

mittee which had not previously been advertised in the journal.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Hart of Wolfeboro the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 108, An act relating to the State Planning and Development Commission.

Amend Section 1 of said bill by striking out the first two lines of said section and inserting in place thereof the following:

1. *State Planning and Development Commission.* Amend Section 33 of Chapter 19 of the Public Laws, as amended by Chapter 92 of the Laws of 1931 by striking out said section and inserting in place thereof the following: 33.

Further amend Section 1 of said bill by striking out the nineteenth line thereof and inserting in place thereof the following:

2. *Amendment.* Amend said Chapter 19 of the Public

Laws by adding after Section 33 the following new sections:  
33-a. *Advisory Board.* The several responsible executives  
or

Further amend said Section 1 by inserting after the word  
"State" in the 22nd line the words, planning and

Further amend said Section 1 by striking out the heading  
of the 26th line and inserting in place thereof the following:

33-b. *Duties.* I. Development and Publicity.

Further amend said Section 1 by striking out the 36th and  
37th lines and inserting in place thereof the following: be  
credited to the appropriation for said commission for its  
general purposes. II. Research and Planning. The Com-  
mission

Further amend said Section 1 by striking out the 49th line  
and inserting in place thereof the following:

33-c. *Grants.* The commission is authorized to accept in  
the name of the State

Further amend said Section 1 by striking out the 53rd to  
56th lines, inclusive and inserting in place thereof the follow-  
ing:

3. *Appropriation.* Any unexpended funds heretofore  
made available for the use of the State

Further amend said bill by striking out the numbering of  
the last section and renumber it 4.

On motion of Mr. Wilson of Manchester the House con-  
curred in the adoption of the amendments proposed by the  
Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be en-  
grossed.

#### SPECIAL ORDER

Mr. Ahern of Concord called for the special order, House  
Bill No. 42, An act in amendment of the charter of the city of  
Concord.

The question being,

Shall the report of the minority that it is inexpedient to  
legislate be substituted for the report of the majority, that  
the bill ought to pass.

(Discussion ensued)

Mr. Simpson of Bartlett moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass.

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Ahern of Concord called for a division.

A division being taken 161 members voted in the affirmative and 148 members voted in the negative and the motion to substitute prevailed.

Mr. Blood of Concord demanded the yeas and nays.

Mr. Clancy of Manchester moved that the House adjourn but subsequently withdrew his motion.

The roll was called with the following result:

#### YEAS, 162

ROCKINGHAM COUNTY: Dagan, Sheehy, Tureotte of Newmarket, Walker, Peaslee of Plaistow, Dondero, Rose, Floyd.

STRAFFORD COUNTY: Locke of Barrington, Keenan, Chabot, Durkin, Howard of Dover, Hall of Dover, Keefe, McDonough of Dover, Durnin, Gelinis of Farmington, Lefavour, Gotts, Brennan, Cartier, Dickinson, Lagueux, Hodsdon, Boucher, Deschenes, Flanagan, Elson.

BELKNAP COUNTY: Little of Barnstead, Hunt, Beane of Laconia, Guay of Laconia, Hoyt of Laconia, Stafford, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Smart.

CARROLL COUNTY: Simpson of Bartlett, Mudgett, Thompson of Effingham.

MERRIMACK COUNTY: Courtemanche, Coakley, Matott, Sturtevant, Ahern, Donovan, Ford, Dempsey, Colburn, Turgeon, Warren, Sanderson, Sanborn, Howlett of Wilmot.

HILLSBOROUGH COUNTY: Sym, Dwyer, O'Reilly, Talty, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, ward 4, Betley, Clancy of Manchester, ward 5, Creighton, Healy of Manchester, ward 5, Mahoney of Manchester, ward 5, Sweeney of Manchester, ward 5, Booth, Connelly,

Healy of Manchester, ward 6, Jordan, Sullivan of Manchester, Cote, Farrell, Gagnon, Peloquin, Turcotte of Manchester, Bolton, Moran of Manchester, Driscoll, Hayes, Gallagher, Gaudreault, Getz, Kearns, McLaughlin, Sweeney of Manchester, ward 11, Aubin, Desruisseaux, Letendre of Manchester, Soucy, Lariviere, Barnes, Howison, Wadleigh, Woods, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Dugan, Dion, Maynard, Ravenelle, Lavigne, Cormier, Glynn, Bouthillier, Desmarais.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Hanson, Hammond, Perry of Jaffrey, Keating, Shea, Roche, Bullock, Randall, Graves, Kiniry, Britton, Read of Winchester.

SULLIVAN COUNTY: Daly, Freeman of Claremont, Quimby, Bailey, Cummings of Newport, Farmer, Cram.

GRAFTON COUNTY: Goodwin of Bethlehem, Graham, Bowles, Sawyer of Franconia, Williams, Scruggs, Hathorn, Hoyt of Lebanon, Perley, Lewis, Burgault, Cook.

COOS COUNTY: Bagley, Barden, Smith of Berlin, Ordway, Palmer, Sullivan of Berlin, Martel, Dugas, Myler, Lombard, Willis, Towle, Morris, Cole, Marshall, Judd.

#### NAYS, 171

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Fitts, Fogg, Currier, Pillsbury, Thayer, Benton, Cilley, Russell of Exeter, Stevenson, Carlton, Little of Hampstead, Perkins of Hampton, Lyford, Adams of Londonderry, Mudge, Kittredge, Allen, Pray, Yeaton of Portsmouth, Buckley, Harmon, Abbott of Portsmouth, Eliot of Raymond, Marston of Rye, Manor, Adams of Seabrook, Chase, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Pomerleau, Garland, Henderson of Durham, Elliott of Madbury, Greenfield, Tighe.

BELKNAP COUNTY: Varney, Piper of Belmont, Dodge, Carroll, Merrill of Laconia, Dow, Wallis.

CARROLL COUNTY: Davis, Russell of Conway, Gale, Banfield, Winkley, Hoyt of Sandwich, Hilliard, Young, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Morgan, Dan-



forth of Bradford, Tallman, Shaw, Robinson of Concord, Kemp, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Lee, Buffum, Piper of Franklin, Carignan, Lemire, Bean of Franklin, Lafond, Stobie, Ball, Merrill of Loudon, Vancore, Perkins of Pittsfield, Connor, Cloues.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Gilson, Locke of Deering, Avery, Matheson, Boynton, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Bergholtz, Gage, Graf, McIntire, Gelinass of Manchester, Van Vliet, Blanchette, Daniel of Manchester, ward 13, Ladouceur, Lambert, Maker, Weston, Bastow, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur, Burke, Thompson of New Ipswich, Jones of Pelham, Cummings of Peterborough, Mercer, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Appleton, Firmin, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Huntley, Rice, Granger, Perry of Swanzey.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Leahy, Cutting, Reney, Barton, Downing, Read of Plainfield, Osborne.

GRAFTON COUNTY: Remick, Hardy, Guyer, Putnam of Hanover, Merrill of Haverhill, Marden, Jones of Lebanon, McNamara, Millen, Astle, Magoon, Simpson of Littleton, Grant, Lufkins, McLean, Merrill of Plymouth, Averill.

COOS COUNTY: Mason, Brungot, Dahl, Gray, Stiles, Chandler of Gorham, Hancock, Fuller of Stewartstown, Fuller of Stratford.

And the motion to substitute did not prevail.

Mr. Sturtevant of Concord offered the following amendment:

Amend Section 16 by striking out the whole of said section and inserting in place thereof the following:

16. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect when rati-

fied by a vote of legal voters at the municipal election held on November 5, 1935.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Ahern of Concord called for a division.

A division being taken 136 members voted in the affirmative and 102 members voted in the negative and less than two thirds of the members elected being present and voting and less than two thirds of those voting having voted either in the affirmative or the negative no valid action was taken and the bill with the amendment pending went over into unfinished business.

On motion of Mr. Ahern of Concord at 1:18 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 287, An act relating to the superior court.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

Severally read a third time and passed and sent to the Senate for concurrence.

## ORDER VACATED

On motion of Mr. Sawyer of Woodstock the order whereby House Bill No. 165, An act relating to the terms of the probate court for the county of Grafton was referred to the Committee on Judiciary was vacated and the bill referred to

a special committee consisting of the delegation from the County of Grafton.

#### RESOLUTION

On motion of Mr. Sweeney of Ward 11, Manchester:

*Resolved*, That this House has learned with sorrow of the death of the mother of Elmer D. Roukey, representative from Manchester, and

*Be it further resolved*, That the Speaker appoint a committee of three to prepare suitable resolutions expressing the sympathy of the members to Mr. Roukey in his bereavement.

The Speaker announced as members of such committee Messrs. Sweeney of Ward 11, Manchester, McLaughlin of Manchester, and Van Vliet of Manchester.

On motion of Mr. Guay of Laconia at 3:22 o'clock the House adjourned.

---

WEDNESDAY, FEBRUARY 20, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

His Excellency the Governor delivered the following message:

#### GOVERNOR'S MESSAGE

Most of the measures we have before us providing for the expenditure of public moneys we are considering from the standpoint of State finances. I do not think that we have given sufficient thought to the effect of these measures on local finances. I have said on several occasions and repeat now that economies made by the State itself do not have much immediate effect upon the size of the local taxpayer's bill because the State tax collected from the towns and cities is only about 8% of that bill, the balance being for town and county purposes.

We must remember, however, that all of these pieces of general fiscal legislation do affect the towns and cities by the various requirements placed on them for expenditures. This

is true of the relief bill. It is also true of our general statutes concerning highways, schools, public health, etc., and the money appropriations made for all these public services. I am glad and proud to feel that throughout New Hampshire tax collections are higher, services are well maintained, debts are being taken care of, and our municipalities generally are carrying their burden in a more efficient manner than is the case in most of the other states of the Union.

Lately a number of people have spoken to me with genuine concern over the condition which many of our towns will face during the next few years. I have looked into the matter carefully and believe there are grounds for this concern. During the past two years several towns have had to be helped by loans from the State. A bill extending the authority for these loans has already passed the House and is now under consideration by the Senate.

But we must do more than simply provide for lending money to an occasional town that gets into financial difficulties. It behooves us as a State, in recognition of the requirements we have placed on the towns, to equip them with the best governmental machinery we can devise to enable them to carry their responsibilities at a cost which the taxpayers can afford to sustain. In this connection I have been studying the merits of House Bill No. 234, known as the Municipal Budget Act. In brief this bill provides that each town shall vote by ballot to see if the town will adopt the budget plan of controlling its finances. If the majority so vote then a budget committee is to be selected to make up the budget for town and school purposes for the following year. Such budget committee must include a member of the Board of Selectmen and a member of the School Committee. There are provisions for holding public hearings, for posting the budget prior to town meeting and for consulting selectmen, school committee and all municipal departments before the budget is made up. This is the first time an act has been introduced in our Legislature looking to the consideration by one board of all the items that go to make up a town tax rate, and I recommend it for your adoption.

The need for haste at the present time is that the towns should be notified in time to insert into town warrants an article to enable the town to vote on the budget plan on March 12. The members of the Judiciary Committee have kindly consented to hold a special hearing immediately on this bill so that if it becomes law, towns can be informed of its provisions and act upon it this year. I ask for your co-operation in the securing of immediate action on this important legislation.

#### LEAVES OF ABSENCE

Messrs. Sullivan of Manchester and Wilson of Manchester were granted leave of absence for the day on account of important business.

Mr. Danforth of Nashua was granted leave of absence for the day on account of attending a funeral.

Messrs. Peaslee of Henniker and Barry of Manchester were granted leave of absence for the remainder of the week on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 108, An act relating to the State planning and development commission.

The report was accepted.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 41, An act relative to building and loan associations, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Banks.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Banks.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 57, Joint



resolution in favor of the town of Raymond, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 106, An act relative to licenses to hunt and fish, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 293, An act to close Mill brook in the town of Holderness to smelt fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 232, An act relating to the First Congregational Church of Hill, New Hampshire, Inc., reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 313, An act relating to the sewer system of the town of Claremont, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out the whole of section 3 and substituting therefor the following: 3. Seventy-five per cent of the cost of such sewer system, as determined by the governing board, shall be assessed by the governing board upon the taxable real property within the area determined by the governing board to be drained by said sewer system and apportioned among the various parcels of such property according

to their assessed valuation for the purpose of the general tax levy for the fiscal year in which such assessment is made. The assessment upon each such parcel of property shall be payable in twenty equal annual instalments at the same time, collectible by the same officers in the same manner and subject to the same means of collection and penalties for non-payment as general taxes. All such instalments not paid when due shall include interest at the rate of six per cent per annum. Each such assessment, including interest as aforesaid, shall create a lien upon the property upon which it is laid which shall continue for one year after the last instalment is payable.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Leahy of Claremont the further reading was dispensed with.

The amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Leahy the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 93, An act relating to the suspension or revocation of beer permits, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On a *viva voce* vote the resolution was not adopted.

The bill was then recommitted to the Committee on Liquor Laws.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 109, An act relating to the sale of liquor, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. *Purchase of Liquor.* Amend section 16 of chapter 3 of the Special Session Laws of 1934 by striking out in lines 13, 14 and 15 the words "Each purchaser of liquor from a state store or a sales agent shall sign a requisition therefor in such form as the commission shall prescribe." and inserting in place thereof the following: Purchase of liquor shall be made on requisitions in such form as the commission may prescribe, so that said section as amended shall read as follows: 16. *Packages.* All liquor sold in state stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the commission, containing such quantity as said commission shall prescribe; and the commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the state stores, plus a proportionate part of the overhead expenses of the commission, plus an additional charge; all to be determined by the commission. Each package shall have the price fixed by the commission stamped clearly thereon. Purchase of liquor shall be made on requisitions in such form as the commission may prescribe. Said commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time and liquor sold in a state store shall not be consumed in any public place.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Callahan of Keene called for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

On motion of Mr. Coakley of Concord the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Rose of Portsmouth for the Committee on Liquor

Laws, to whom was referred House Bill No. 173, An act relative to size of bottles to be used in selling liquor, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Davis of Conway moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

Mr. Davis called for a division.

(Discussion ensued)

Mr. Osborne of Sunapee moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the bill be indefinitely postponed?

A division being taken the vote was declared to be manifestly in the affirmative.

(Mr. Cummings of Peterborough in the Chair)

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 321, An act relating to the terms of the superior court, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 322, An act relating to town meetings in the town of Claremont, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 323, An act in relation to investments by guardians, with the recom-

mendation that the bill be referred to the Committee on Revision of Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Statutes.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 324, An act providing for a special fund for maintenance of public waters, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 325, An act to create a state board of accountancy, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 327, An act relating to the New Hampshire State employment service, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Osborne of Sunapee for the Committee on Rules, re-



ported the following entitled bill, House Bill No. 328, An act relating to private employment agencies, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 329, An act relating to labor and industry, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 330, An act relating to the taking of fish from certain waters, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 331, An act relating to kidnapping, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

On motion of Mr. Graf of Manchester the rules were suspended to permit the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Graf of Manchester the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Judiciary.

On motion of Mr. Bullock of Richmond the rules were suspended, reference to the committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Graf of Manchester the rules were suspended to permit the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Bill No. 309, An act relative to bridges on State-aided highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 96, An act relating to liquor laws.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 49, An act relative to the discharge of sewage.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following: 1. *Camp or Dwelling*. Amend section 32 of chapter 141 of the Public Laws by inserting in the third line before the word "factory" the words, dwelling, camp, so that said section as amended shall read as follows: 32. *Discharge of Sewage; Penalty*. No person, association or corporation shall cause or permit the discharge of sewage or other deleterious waste from any dwelling, camp, factory, hotel, boarding-house or other commercial establishment into any stream, lake, pond or river not hitherto polluted, without first submitting detailed plans of said proposed discharge to the state board of health and securing the approval of the said board. Whoever violates the provisions of this section shall be fined not less than one hundred nor more than one thousand dollars.

On motion of Mr. Leahy of Claremont the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

## RESOLUTION

On motion of Mr. Leahy of Claremont:

*Resolved*, That the members of the House express their sincere sympathy to President of the Senate, Charles M.

Dale, and extend their best wishes for an early recovery from his present illness, and be it further

*Resolved*, That the Clerk be instructed to convey this message to Mr. Dale in the form of a telegram.

On motion of Mrs. Mason of Berlin:

WHEREAS, This House has learned with deep sorrow of the death of Honorable Ovide J. Coulombe of Berlin, a former member of this House and also a former Senator from District No. 1,

*Be it resolved*, That the Speaker appoint a committee of three to draw up suitable resolutions; and

*Be it further resolved*, That when the House adjourns this morning it adjourn out of respect to the memory of Mr. Coulombe.

The Speaker appointed as members of such committee Mrs. Mason of Berlin and Messrs. Bell, and Dahl of Berlin.

#### SPECIAL ORDER

Mr. Sanderson of Pittsfield called for the special order, House Bill No. 34, An act to regulate the practice of barbering.

The question being

Shall the report of the minority, that it is inexpedient to legislate, be substituted for the report of the majority, that the bill ought to pass?

(Discussion ensued)

Mr. Callahan of Keene raised the point of order that the member speaking called a member of the House by name.

The Speaker declared the point well taken.

(Discussion ensued)

Mr. Osborne of Sunapee moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the report of the minority, that it is inexpedient to legislate, be substituted for the report of the majority, that the bill ought to pass?

Mr. Mitchell of Campton called for a division.

A division being taken 149 members voted in the affirmative and 117 members voted in the negative and less than two thirds of the members elected being present and voting and less than two thirds of those voting having voted either in the affirmative or negative no valid action was taken and the bill went over into unfinished business.

On motion of Mr. Keefe of Dover at 1:25 o'clock the House adjourned.

### AFTERNOON

The House met at 3 o'clock.

### THIRD READING

On motion of Mr. Roche of Keene the rules were suspended and the third readings of bills by their titles made in order.

Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

Read a third time and passed and sent to the Secretary of State to be engrossed.

### COMMITTEE REPORT

On motion of Mr. Perley of Lebanon the rules were suspended to permit the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 234, An act to be known as the municipal budget act, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Perley of Lebanon the rules were suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.



## RESOLUTION

Mr. Sweeney of Ward 11, Manchester, presented the following:

WHEREAS, The House of Representatives has learned with sorrow of the death of Mrs. Louise Roukey, mother of Elmer D. Roukey, Representative from Manchester; therefore

*Be it resolved*, That the members extend their deep sympathy to Representative Roukey in his bereavement; and

*Be it further resolved*, That the Clerk be instructed to transmit to him a copy of these resolutions.

HENRY J. VAN VLIET,

FRANK H. SWEENEY,

BERNARD T. McLAUGHLIN,

*Committee.*

On a *viva voce* vote the resolution was adopted.

The following letter was received from His Excellency the Governor.

*To the Clerk of the House:*

I hereby certify that I administered the oath of office to Abraham Charbonneau of Ward 5, Nashua, in the St. Joseph's Hospital, Nashua, on February 18, 1935.

H. S. BRIDGES,

*Governor.*

On motion of Mr. Sawyer of Woodstock at 3:18 o'clock the House adjourned.

---

THURSDAY, FEBRUARY 21, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## ADDRESS

The House was addressed by Charles Dillon, better known as Chief Nutbeam of the Alaska Indians.

## LEAVES OF ABSENCE

Mr. Hall of Dover was granted leave of absence for the day on account of death in family.

Mr. McNeil of Portsmouth was granted leave of absence for the day on account of illness.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 284, An act relative to emergency borrowing for the state.

House Bill No. 307, An act requiring certain claims against the state to be presented for payment on or before March eleventh.

The report was accepted.

Mr. Adams of Londonderry for the Committee on Agriculture, to whom was referred House Bill No. 4, In new draft, An act to control the distribution and sale of milk, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend Section 3 by striking out the entire section and inserting in place thereof the following: 3. *Board Constituted.* There shall be a Milk Control Board to consist of three members, no more than two of whom shall be of the same political party, to be appointed by the Governor with the advice and consent of the Council. They shall hold office for a term of one, two and three years, the length of term of each to be fixed in his commission and shall continue in office until his successor has been appointed and qualified. Thereafter, beginning one year from the date of issuance of the first commission under this act, one member shall be appointed each year for a term of three years and if a vacancy shall occur in said Board it shall be filled by the Governor with the advice and consent of the Council for the unexpired term.

Amend Section 4 by striking out the entire section and inserting in place thereof the following: 4. *Compensation.* The members of said Board shall be paid five dollars a day, each, for such time as they are actually engaged in the service of the State and their actual expenses.

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the words "to this session of the legislature" in the eighth line and by adding after the word "laws" in the tenth line the words, to the next regular session of the legislature, provided, however, that any recommendations of this committee may be submitted to this session of the legislature; further amend said joint resolution by striking out the last sentence thereof and inserting in place thereof the following: For the purposes of carrying into effect the provisions hereof the sum of not exceeding fifteen hundred dollars (\$1,500) is hereby appropriated and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated, so that said joint resolution as amended shall read as follows: That the Governor, with the advice and consent of the council, is hereby authorized and directed to appoint seven persons to constitute a committee to study the problem of the revision of the public utility laws of this state, and other laws affecting the powers and jurisdiction of the Public Service Commission. Said committee shall report its findings and recommendations as to the expediency of making changes in said laws to the next regular session of the legislature, provided however, that any recommendations of this committee may be submitted to this session of the legislature. The members of said committee shall serve without compensation but shall be allowed their actual expenses while engaged in the work of said committee to be approved by the Governor and Council. For the purposes of carrying into effect the provisions hereof the sum of not exceeding fifteen hundred dollars (\$1,500) is hereby appropriated and the gov-

ernor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendments adopted, and the joint resolution ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 12, An act for the greater detection of crime and apprehension of criminals, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and inserting in place thereof the following: 1. Any person, surgeon or physician, or any hospital, sanitarium, dispensary, or other institution doing business in this state, who treats or serves any person for a gun shot wound, or for any other injury believed to have been caused by unlawful act, shall immediately notify the county solicitor, furnishing the

solicitor the name of the patient and such other information as may be known concerning the injury and its history.

2. *Penalty.* Any person or institution who wilfully violates the provisions of this act shall be fined not exceeding one hundred dollars (\$100.00).

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 299, An act repealing chapter 259 of the Public Laws of 1909, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Henderson of Dover offered the following amendment:

Amend the title of said bill by striking out the whole thereof and substituting the following: An act relating to the town of Richmond.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 251, An act relative to the payment of wages, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 206, An act relating to contracts for State buildings and highways, reported the same in a new draft and with a new title with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Labor.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Labor.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 48, Joint



resolution in favor of Alfred Pellerin, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Courtemanche of Allentown the bill was recommitted to the Committee on Claims.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 54, Joint resolution in favor of Peter LaJoie, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Courtemanche of Allentown the bill was recommitted to the Committee on Claims.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 194, An act relative to the term of county commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 334, An act relating to the mayor of Laconia, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Wilson of Manchester for the Committee on Rules,

reported the following entitled bill, House Bill No. 335, An act relating to the taking of pickerel, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 336, An act relating to public employment of veterans, with the recommendation that the bill be referred to the Committee on Labor.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Labor.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 337, An act making appropriations for Hampton river jetties, with the recommendation that the bill be referred to the Committee on Coastwise Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Coastwise Improvements.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 338, An act relating to false statement of age by minors, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 339, An act providing for a director of aid to the blind, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 340, An act providing for cooperation with federal agencies for aid to the blind, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 87, An act to dissolve Upper Coos railroad.

House Bill No. 284, An act relative to emergency borrowing for the State.

House Bill No. 307, An act requiring certain claims against the State to be presented for payment on or before March eleventh.

House Bill No. 313, An act relating to the sewer system of the town of Claremont.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

#### SENATE BILLS READ AND REFERRED

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Severally read a first and second time and referred to the Committee on Transportation.

#### RESOLUTIONS

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

Mrs. Mason of Berlin presented the following resolutions:

WHEREAS, This House of Representatives has learned with profound sorrow of the death of Hon. Ovide J. Coulombe of Berlin, who served with distinction in the New Hampshire Senate and House of Representatives; and

WHEREAS, The State has lost a valued citizen, one who was always interested in its welfare; therefore,

*Be it resolved*, That the members of the House of Representatives extend to Mrs. Coulombe and family its deepest sympathy in their bereavement; and

*Be it further resolved*, That the Clerk of the House trans-

mit to Mrs. Coulombe and family a copy of these resolutions.

ELISABETH H. MASON,

J. FRED BELL,

OTTO J. A. DAHL,

*Committee on Resolutions.*

On a *viva voce* vote the resolutions were unanimously adopted.

On motion of Mr. Neal of Dover,

WHEREAS, This House has learned with sorrow of the death of Frank H. Hall, father of Carroll Hall, Representative from Dover,

*Be it Resolved*, That the Speaker appoint a committee of three to draw up suitable resolutions to be sent to the bereaved family.

The Speaker appointed as members of such committee Messrs. Neal, Keefe, and McDonough of Dover.

On motion of Mr. Callahan of Keene business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 251, An act relative to payment of wages.

House Bill No. 299, An act relating to the town of Richmond.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public laws.

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Chandler of Gorham at 12 o'clock the House adjourned.



FRIDAY, FEBRUARY 22, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 22, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 9:01 o'clock the House  
adjourned.

---

MONDAY, FEBRUARY 25, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., February 25, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

On motion of Mr. Sturtevant of Concord at 7:31 o'clock  
the House adjourned.

---

TUESDAY, FEBRUARY 26, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## GOVERNOR'S MESSAGE

The following message was delivered by His Excellency the Governor:

Conversations which I have had with Federal officials in Washington have convinced me that should the pending four billion dollar public works appropriation be enacted into law, New Hampshire can benefit to a greater extent than otherwise if some of the projects which have been inventoried in this State, particularly those in the Merrimack watershed relating to construction of reservoirs and the riddance of pollution, are submitted jointly with projects of the neighboring State of Massachusetts.

The benefit to be derived would be in greater outright grants of Federal funds, possibly to the extent of 100 per cent allotments, on the principle that the projects are interstate in character, support conservation of natural resources such as coal and oil, and would assist in preserving the public health.

In any event it seems desirable to be prepared to benefit to the greatest extent possible and I am convinced that an indication of the desire of the State to participate in the interstate planning involved in the Merrimack watershed cannot, at this time, do otherwise than to enlist the further interest and assistance of Federal authorities in these projects without in any way committing the State prematurely to any particular program for their actual execution.

There has been talk about a Merrimack Valley Authority, which to many implies complete Federal domination of public works undertaken in this important New England watershed. I am still a firm believer in the primary sovereignty of states in the American government, and whatever plans this State, the Commonwealth of Massachusetts, and the Federal government may be able to devise I shall be certain that the best interests of New Hampshire and its industries are preserved.

It does not follow that there can be no cooperation between these three governments, however, and I therefore recommend the immediate passage of the following concurrent res-

olution as a demonstration of New Hampshire's desire to so cooperate:

*Resolved*, That it is the sense of the General Court of New Hampshire that the State Planning and Development Commission cooperate with the authorities of the Commonwealth of Massachusetts in studying such Merrimack Valley public works projects as may be made possible by grants from the Federal government of 100 per cent for construction as may be deemed advisable for the purposes of stream regulation and flood control, improvement of sanitation, elimination of soil erosion, and such other improvements as may contribute to the general welfare of the people of New Hampshire.

#### PRESENTATION

Mr. Wilson of Manchester presented the Speaker a handsome ebony gavel appropriately engraved on behalf of the State.

#### LEAVES OF ABSENCE

Messrs. Fowell of Nashua and Heald of Wilton were granted leave of absence for the day on account of important business.

Mr. Tighe of Rollinsford was granted leave of absence for the day on account of illness.

Mr. Tilton of Concord was granted leave of absence for the week on account of an accident.

Mr. Pierce of Bennington was granted leave of absence until further notice on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 234, An act to be known as the municipal budget act.

Senate Bill No. 25, An act to enable the town of Newport to fund or refund its indebtedness.

House Bill No. 49, An act relative to the discharge of sewage.

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little bay.

House Bill No. 313, An act relating to the sewer system of the town of Claremont.

House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy.

The report was accepted.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in States ratifying the same, and providing a commission to further its policies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 286, An act relating to powers of Governor and Council, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 309, An act relative to bridges on State-aided highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Colburn of Newbury for the Committee on Agricul-

ture, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "state" in line 3 the words, and an exhibit at the Eastern States Exhibition at Springfield, Massachusetts, so that the resolution as amended shall read as follows: That the sum of three thousand dollars (\$3,000.00) be and the same are hereby

Amend said resolution by striking out the word "are" in line 2 and inserting in place thereof the word, is; further amend by adding after the word "state" in line 3 the words and an exhibit at the Eastern States Exhibition at Springfield, Massachusetts, so that the resolution as amended shall read as follows: That the sum of three thousand dollars (\$3,000.00) be and is hereby appropriated for the promotion and encouragement of New Hampshire Agricultural Fairs, held within the state and an exhibit at the Eastern States Exhibition at Springfield, Massachusetts. Said sum to be expended by the Commissioner of Agriculture under such rules and regulations as he may prescribe, and where the sums paid for agricultural exhibits totals one hundred dollars (\$100.00) or more; and the Governor is authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 177, An act regarding one day of rest in seven, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole thereof and inserting in its place the following: 1. Amend section 45 of chapter 176 of the Public Laws as inserted by section 1, chapter 130 of the Laws of 1933 by inserting after the word "manufacturing" in lines 2, 4 and 7 the word, mechanical, so that



said section as amended shall read as follows: 45. *Day of Rest.* Every employer of labor engaged in carrying on any manufacturing, mechanical or mercantile establishment in the state, shall allow every person, except those specified in section 47 employed in such manufacturing, mechanical or mercantile establishment at least twenty-four consecutive hours of rest in every seven consecutive days. No employer shall operate any such manufacturing, mechanical or mercantile establishment on Sunday unless he has posted in a conspicuous place on the premises a schedule containing a list of the employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the Commissioner of Labor, and promptly file with him a copy of every change therein. No employee shall be required or allowed to work on the day of rest designated for him. Whoever violates this section shall be punished by a fine of fifty dollars.

Amend section 2 by striking out the whole thereof and inserting in its place the following: 2. Amend section 46 of chapter 176 of the Public Laws as inserted by section 1, chapter 130 of the Laws of 1933 by striking out the whole of said section and inserting in its place the following: 46. *Application.* The two preceding sections shall not apply to establishments used for the manufacture or distribution of gas, electricity, milk or water, hotels and restaurants operating on a seasonal basis, the prescription department of drug stores, livery stables, or garages, nor to the transportation, sale or delivery of food.

Amend section 3 by striking out the whole thereof and inserting in its place the following: 3. Amend paragraph VI, of section 47, chapter 176 of the Public Laws as inserted by section 1, chapter 130 of the Laws of 1933 by adding at the end of said paragraph the words "in a community of less than 3,500 population according to the U. S. Census" so that said paragraph as amended shall read as follows: VI. Employees engaged in any work connected with the theatre or motion picture houses in a community of less than 3,500 population according to the U. S. Census.

Further amend said bill by adding to the end thereof a new section 4 to read as follows: 4. *Takes Effect*. This act shall take effect upon its passage.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 341, An act relating to aid for the blind, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 342, An act relating to auctioneers, with the recommendatiton that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield, with the recommendation that the joint resolution be referred to the Committee on Judiciary.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damages done by bears, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Kittredge of Portsmouth for the Committee on Judi-

ciary, to whom was referred House Bill No. 70, An act legalizing the town meetings of the town of Lancaster, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 97, An act relating to expiration of motor vehicle licenses, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend by striking out all of section 1 and substituting therefor the following: 1. *Board Constituted*. For the duration of this act there is hereby constituted the state board of welfare and relief. Upon the passage of this act the governor with the advice and consent of the council shall appoint three members of said board, not more than two of whom shall be of the same political party, each for a term for the duration of this act. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time for cause.

Amend section 4 by striking out all of said section and substituting therefor the following: 4. *Duties Enlarged*. Said board shall set up two divisions, one the division of welfare and the other the division of relief.

Amend by striking out all of section 5 and substituting therefor the following: 5. *Division of Welfare*. Said board shall appoint a state director of the division of welfare, who, under its direction, shall give his entire time to the duties of

such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other duties as may rightfully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the governor and council, and may remove him for cause.

Amend by striking out all of section 6 and substituting therefor the following: 6. *Assistants*. Said board shall employ and fix the compensation of inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board.

Amend by striking out all of section 7 and substituting therefor the following: 7. *Director of Relief*. Said board shall appoint a state director of the division of relief, fix his compensation and may remove him for cause.

Amend by striking out all of section 8 and substituting therefor the following: 8. *Duties of Director of Relief*. It shall be the duty of said director and he shall have power and authority under the supervision of said board:

I. To have and exercise general supervision over the administration of unemployment relief and poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report such information, monthly and annually, relative to unemployment relief and poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to unemployment relief and poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders for the administration of unemployment relief and poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the



moneys granted by the state to counties, cities and towns under this act and to comply with rules and regulations of the federal government or any of its agencies relative to unemployment relief and poor relief.

Amend by striking out all of section 9 and substituting therefor the following: 9. *Grants to Towns, Cities and Counties.* The governor and council upon order of the state director of relief, approved by the comptroller, are hereby authorized and directed to make grants or reimbursements, out of the state funds in the Emergency Relief Fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief, to the extent of fifty per cent of the amount expended by said counties, cities and towns. If during any period while this act is in effect, federal funds are or are made available to the state for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief in accordance with any regulations or conditions imposed by the federal authorities, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the state and by the counties, cities and towns. Provided, however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 14 hereof; and provided, further, that the board shall have the right to reduce the percentage to be contributed by the state to the counties, cities and towns at any time during the duration of this act when it shall appear that the funds provided in section 14 hereof will not be sufficient to make grants or reimbursements to the extent of fifty per cent of the amount expended by said counties, cities and towns.

Amend by striking out all of section 12 and substituting therefor the following: 12. *Acceptance of Funds.* The governor is hereby authorized, on behalf of the state, to accept all moneys that may be advanced to or otherwise placed at the disposal of the state by the federal government, or any of its agencies, for the purpose of caring for the poor, the



distressed, and the unemployed; and may make such orders, rules and regulations relative to the disbursement of such moneys as may be necessary to comply with any terms, conditions, orders, rules or regulations as may be prescribed by the federal government or any of its agencies, or by the President of the United States.

Amend by striking out all of section 15 and substituting therefor the following: 15. *Emergency Relief Fund.* The money received from the sale of notes authorized by section 14 hereof shall be deposited with the state treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the governor for the purposes of this act alone; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the state treasurer and applied to the payment of the notes issued hereunder.

Amend by striking out all of section 17 and substituting therefor: 17. *Audit of Accounts.* No state grants or reimbursements shall be made to counties, cities or towns for poor relief under the provisions hereof until the bills or accounts showing the expenditures for poor relief by said counties, cities or towns have been submitted to or approved by the state comptroller, provided, however, that grants and reimbursements may be made subject to final audit. Said comptroller is hereby authorized to employ with the approval of the governor and council such auditors as may be necessary to inspect and audit said bills and accounts and to make such rules and regulations as may be necessary to carry out the provisions of this section. The expenses incurred by the comptroller under the provisions of this section shall be a charge upon the Emergency Relief Fund hereinbefore provided for.

Further amend said bill by inserting a new section as follows: 18. *Taxes.* The selectmen of towns and mayors of cities are hereby authorized and shall, upon instructions from the tax commission, direct the fixing of tax rates and the

assessment of taxes, so that only such amounts shall be raised for the relief of the poor of the town or city as will represent, as nearly as may be estimated, the actual amount to be contributed by the town or city for that purpose, taking into consideration the assistance which may be given said city or town by the state or federal agencies. The county conventions shall take into account in making their appropriations for poor relief the amounts which the state and other agencies shall pay.

Further amend said bill by making section 18 read section 19.

Further amend said bill by making section 19 read section 20.

Further amend said bill by making section 20 read section 21.

Further amend said bill by making section 21 read section 22.

Further amend said bill by making section 22 read section 23.

Further amend said bill by striking out all of section 23 and substituting therefor the following: 24. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The reading of the amendments having commenced, on motion of Mr. Keefe of Dover the further reading of the amendments was dispensed with.

The question being on the adoption of the amendments.

On motion of Mr. Wilson of Manchester the bill and pending amendments were referred to the Committee on Appropriations.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 231, An act relating to native home industries, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out all after the word "pay" in the first line, so that said section shall read as

follows: 3. *Compensation*. The members of the board shall serve without pay.

Further amend said bill by striking out all of section 6 and substituting therefor the following: 6. *Staff, etc.* To effectuate the purposes of this act the Board shall have authority to employ a suitable person to administer its provisions, subject to the control and direction of the Board, and shall have authority to employ such assistants, instructors, and clerks as may be necessary.

The report was accepted, the amendments adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 249, An act relating to service of process on the motor vehicle commissioner, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 20, An act regarding registrations and permits of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 33, An act relating to motor vehicle law, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

On motion of Mr. Jones of Lebanon the bill with the accompanying report was laid upon the table.

On motion of Mr. Graf of Manchester the rules were suspended to allow of the presentation of a report from a

committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Graf of Manchester the rules were suspended, the printing of the bill dispensed with and the bill referred to the Committee on Judiciary.

On motion of Mr. Little of Barnstead the rules were further suspended, the reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 147, An act regarding lien on real estate.

House Bill No. 164, An act relating to the bridge over Little bay.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

House Bill No. 234, An act to be known as the municipal budget act.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 289, An act providing for State aid on Class II or Class V highways.

House Bill No. 332, An act relative to the town lines of the towns of Richmond and Troy.

The message further announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate for further consideration Senate Bill No. 24, An act relating to safety glass.

By motion of Mr. Wilson of Manchester the request was granted.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees.

The bill was read a first and second time and referred to the Committee on Judiciary.

The following resolution was presented:

WHEREAS, The House of Representatives has learned with sorrow of the death of Ernest Barnes, an instructor in Winchester High School and the son of Charles L. Barnes, Representative from Mason, therefore

*Be it resolved*, That the members of the House extend to the bereaved father their deep sympathy, and

*Be it further resolved*, That the Clerk be instructed to transmit to him a copy of these resolutions.

WILLIAM T. THOMPSON,  
BERNADETTE E. CHAROIS,  
CLARENCE B. ETSLER,  
JAMES HERBERT GILSON,  
STEPHEN A. BULLOCK,

*The Committee.*

On a *viva voce* vote the resolution was unanimously adopted.



## UNFINISHED BUSINESS

Mr. Wilson of Manchester called for the unfinished business, House Bill No. 42, An act in amendment of the charter of the city of Concord.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the negative appeared to prevail.

Mr. Ahern of Concord called for a division.

(Discussion ensued)

A division being taken 180 members voted in the affirmative and 135 members voted in the negative and the amendment was adopted.

Mr. Coakley of Concord offered the following amendments:

Amend section 1 of the printed copy of House Bill No. 42, in new draft, by striking out in the first and second lines of said section the words "Governor, with the advice and consent of the council" and inserting in place thereof the word "Mayor", by striking out in the tenth and eleventh lines of said section the words "Governor, with the advice and consent of the council" and inserting in place thereof the words "Mayor" and by striking out in the fifteenth and sixteenth lines of said section the words "At no time shall more than two of said commissioners belong to one political party", so that said section 1 as amended shall read as follows:

1. The Mayor immediately after the passage of this act, shall appoint three police commissioners who shall have been residents of said Concord at least five years immediately preceding the date of their appointment, one of whom shall hold office for two years from the date of his appointment, one for four years, and one for six years from said date, or until their successor is appointed and qualified; and biennially thereafter on or before the first day of March, the Mayor shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner.

2. Amend section 2 of the printed copy of said bill by striking out in the first and second lines of said section the

words "Governor with the advice and consent of the council" and inserting in place thereof the word "Mayor", so that said section 2 as amended shall read as follows:

2. The Mayor shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

3. Amend section 12 of the printed copy of said bill by striking out in the third line of said section the words "Governor and council" and inserting in place thereof the word "Mayor", and by striking out in the fifth line of said section the words "the Governor", so that said section 12 as amended shall read as follows:

12. The commissioners shall make a detailed report of their doings quarterly to the mayor and aldermen of the city, and annually to the mayor in the month of December. The records of the commission shall at all times be open to the inspection of the Mayor and the citizens of the city.

4. Amend section 14 of the printed copy of said bill by adding at the end of said section the words "except those of justice of the peace and notary public", so that said section 14 as amended shall read as follows:

14. No commissioner shall hold any federal, state, county or other municipal office during his term of office except those of justice of the peace and notary public.

The question being on the amendments.

(Discussion ensued)

Mr. Callahan of Keene rose to a parliamentary inquiry that the amendments were not in order inasmuch as they conflicted with the amendment previously adopted.

The Speaker ruled that the amendments did not conflict and were therefore in order.

On a *viva voce* vote the amendments were not adopted.

Mr. Ahern of Concord called for a division.

A division being taken 141 members voted in the affirmative and 148 members voted in the negative and the amendments were not adopted.

Mr. Ahern of Concord demanded the yeas and nays and a roll was called with the following result:

## YEAS, 162

ROCKINGHAM COUNTY: Lyford, Turcotte of Newmarket, Walker, Peaslee of Plaistow, Dondero, Kittredge, Buckley, Harmon, Floyd.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Chabot, Durkin, Howard of Dover, Hall of Dover, Keefe, McDonough of Dover, Durnin, Gelinas of Farmington, Le-favour, Gotts, Brennan, Bergeron, Turcotte of Rochester, Dickinson, Deschenes, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Hunt, Beane of Laconia, Guay, Stafford, Cantin, Dow, Simpson of Laconia, Neal of Meredith, Smart.

CARROLL COUNTY: Mudgett, Thompson of Effingham, Lyman, Weeks.

MERRIMACK COUNTY: Courtemanche, Reardon, Coakley, Matott, Sturtevant, Lee, Ahern, Donovan, Ford, Demers, Lemire, Dempsey, Colburn, Turgeon, Warren, Sanborn.

HILLSBOROUGH COUNTY: Charois, Barry of Manchester, Dwyer, Betley, Clancy of Manchester, Ward 5, O'Reilly, Tobin, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Creighton, Healy of Manchester, Ward 5, Mahoney of Manchester, Ward 5, O'Brien, Sweeney of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Healy of Manchester, Ward 6, Jordan, Sullivan of Manchester, Farrell, Gagnon, Peloquin, Turcotte of Manchester, Bolton, Bouthiette, Hol-leran, McDonough of Manchester, Moran of Manchester, Richard, Driscoll, Hayes, Levalle, Gallagher, Gaudreault, Getz, McLaughlin, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Ladouceur, Lambert, Lariviere, Barnes, Woods, Boilard, Barry of Nashua, Dion, Maynard, Fournier, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais.

CHESHIRE COUNTY: Perry of Jaffrey, Huntley, Bullock, Perry of Swanzy, Randall, Graves, Kiniry, Britton.

SULLIVAN COUNTY: Chandler of Claremont, Daly, Freeman, Quimby, Thomas, Johnson, Reney, Bailey, Cummings of Newport, Osborne, Cram.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Graham, Sawyer of Franconia, Scruggs, Lagassie, Burgault, Grant, Cook, Sawyer of Woodstock.

COOS COUNTY: Bagley, Smith of Berlin, Henderson of Berlin, Ordway, Sullivan of Berlin, Lombard, Gray, Whitcomb, Hancock, Marshall, Judd.

## NAYS, 157

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Stevens of Candia, Fogg, Currier, Hepworth, Thayer, Cilley, Russell of Exeter, Stevenson, Carlton, Brackett, Little of Hampstead, Perkins of Hampton, Janvrin, Adams of Londonderry, Mudge, Allen, Tucker, Eliot of Raymond, Manor, Peever, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Keenan, Garland, Neal of Dover, Henderson of Durham, Elliott of Madbury, Greenfield, Seavey.

BELKNAP COUNTY: Varney, Piper of Belmont, Page, Dodge, Carroll, Hoyt of Laconia, Merrill of Laconia, Gordon, Plastridge, Wallis.

CARROLL COUNTY: Simpson of Bartlett, Davis, Gale, Banfield, Winkley, Hoyt of Sandwich, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Munroe, Danforth of Bradford, Tallman, Shaw, Robinson of Concord, Kemp, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Brunel, Freeman of Concord, Maxham, Wylie, Buffum, Bean of Franklin, Stobie, Ball, Merrill of Loudon, Vancore, Perkins of Pittsfield, Sanderson, Connor, Cloues.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Locke of Deering, Crowell, Boynton, Craine, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Bergholtz, Gage, McIntire, Gelinas of Manchester, Maker, Howison, Wadleigh, Weston, Winslow, Woodbury, Danforth of Nashua, Francoeur, Thompson of New Ipswich, Jones of Pelham, Cummings of Peterborough, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering,



Firmin, Hanson, Hammond, Callahan, Gates, Hilton, Spaulding, Wiswall, Rice, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Leahy, Cutting, Barton, Downing.

GRAFTON COUNTY: Remick, Mitchell, Bowles, Williams, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Marden, Jones of Lebanon, Millen, Perley, Bishop, Parker, Astle, Simpson of Littleton, Lufkin, McLean, Merrill of Plymouth, Averill.

COOS COUNTY: Mason, Dahl, Myler, Ramsay, Willis, Morris, Thompson of Lancaster, Cole, Fuller of Stratford. and the amendments were adopted.

The bill was then ordered to a third reading.

#### CONCURRENT RESOLUTION

Mr. Wilson of Manchester offered the following concurrent resolution:

*Resolved*, That it is the sense of the General Court of New Hampshire that the State Planning and Development Commission cooperate with the authorities of the Commonwealth of Massachusetts in studying such Merrimack Valley public works projects as may be made possible by grants from the Federal government of 100 per cent for construction as may be deemed advisable for the purposes of stream regulation and flood control, improvement of sanitation, elimination of soil erosion, and such other improvements as may contribute to the general welfare of the people of New Hampshire.

On a *viva voce* vote the resolution was adopted and sent to the Senate for concurrence.

On motion of Mr. Neal of Meredith at 1:10 o'clock the House adjourned.

#### AFTERNOON

The House met at 3 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.



House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in States ratifying the same, and providing for a commission to further its policies.

House Bill No. 42 (in new draft), An act in amendment of the charter of the city of Concord.

House Bill No. 177, An act regarding one day of rest in seven.

House Bill No. 309, An act relative to bridges on State-aided highways.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

Severally read a third time and passed and sent to the Senate for concurrence.

#### ORDER VACATED

On motion of Mr. Neal of Meredith the order whereby House Joint Resolution No. 60, Joint resolution to promote agricultural fairs was referred to the Committee on Appropriations was vacated and the joint resolution recommitted to the Committee on Agriculture.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 46, An act to incorporate the Clark School Foundation.

Amend section 2 of said bill by adding at the end of line four the word, and; by striking out the words "a charitable foundation" in the fifth line and inserting in place thereof the words, an educational institution; and by striking out the word "and" in the sixth line, so that said section as amended shall read as follows: 2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment

and execution, and shall have power to take and acquire and hold real and personal estate by lease, purchase, donation, bequest, or otherwise and said corporation being in the nature of an educational institution shall be taxable according to the statutes of the State of New Hampshire.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 96, An act relating to liquor laws.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relative to booths in establishments where beverages are sold.

On motion of Mr. Guay of Laconia the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham County.

Amend section 1 of said bill by striking out the first five lines of said section and inserting in place thereof the following:

1. *Rockingham County Probate Office.* Amend section 21 of chapter 294 of the Public Laws, as amended by chapters 89 and 141 of the Laws of 1929, by striking out the word "two" in the fourth line and inserting in place thereof the word eight so that said section as amended shall read as follows:

Further amend said section 1 by adding at the end thereof the following: In Coos county, one hundred and fifty dollars.

On motion of Mr. Callahan of Keene the House concurred

in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

Amend section 1 of said bill by striking out the sentence in the sixth and seventh lines "Said short-time notes issued hereunder may be refunded at and for such times as the county commissioners may determine" and inserting in place thereof the following:

Said short-time notes issued hereunder may be refunded by other short-time notes during said biennium at and for such times as the county commissioners may determine.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin building and loan association.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

The message also announced that the Senate had passed the following joint resolution in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal cooperation in the stabilizing of the Merrimack river.

#### SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal cooperation in the stabilizing of the Merrimack river.

The joint resolution was read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended, the reference of the joint resolution to a committee dispensed with and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Leahy of Claremont at 3:29 o'clock the House adjourned.

---

WEDNESDAY, FEBRUARY 27, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Messrs. Peaslee of Henniker and Fitts of Chester were granted leave of absence for the remainder of the week on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 87, An act to dissolve Upper Coos railroad.

House Bill No. 285, An act providing for the reconstruction and maintenance of trunk line and State-aided highways and for the adjustment of aid to towns in maintaining Class V highways.

House Bill No. 289, An act providing for State aid on Class II or Class V highways.

The report was accepted.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 4, in new draft. An act to control the distribution and sale of milk, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 102, Joint resolution in favor of Joseph Lettre, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth for the Committee on Education, to whom was referred House Bill No. 54, An act defining the rights of school board members in supervisory unions, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Education.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Education.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 6, An act relative to horse racing and pari-mutuel pools, reported the same in a new draft with the recommendation that the bill in its new draft be printed and recommitted to the Committee on Judiciary.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 112, An act relating to pari-mutuel pools, reported the same with the following resolution:



*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 124, An act relating to suspended sentences, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 1 and substituting therefor the following: 1. Whenever any court of competent jurisdiction in the matter of a misdemeanor as distinguished from a felony shall in its discretion after hearing continue the case for sentence or order the case otherwise filed or having imposed sentence involving commitment to any penal institution with the further order that the same be suspended, mittimus to issue contingently, then no mittimus for commitment shall issue after three years next following the date of sentence.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 161, An act relating to the practice of law, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Neal of Meredith moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion that the bill be indefinitely postponed.

On a *viva voce* vote the motion prevailed.

Mr. Wilson of Manchester for the Committee on Judiciary,

to whom was referred House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the third paragraph of section 1 of said bill by adding after the word "information" in line 7 the words "as an attorney," so that said paragraph as amended shall read as follows: 11. *Practice by Corporations Prohibited.* No corporation shall practice or appear as an attorney for any person other than itself in any court in the State or before any judicial body or hold itself out to the public or advertise as being entitled to practice law, and no corporation shall draw agreements, or other legal documents not relating to its lawful business, or draw wills, or practice law, or give legal advice or legal information as an attorney, or hold itself out in any manner as being entitled to do any of the foregoing acts, by or through any person orally or by advertisement, letter or circular; provided, that the foregoing shall not prevent a corporation from employing an attorney in regard to its own affairs or in any litigation to which it is or may be a party. Any corporation violating this section shall be punished by a fine of not more than one thousand dollars; and every officer, agent or employee of any such corporation who, on behalf of the same, directly or indirectly, engages in any of the acts herein prohibited, or assists such corporation to do such prohibited acts, shall be punished by a fine of not more than five hundred dollars.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the Speaker was in doubt.

Mr. Leahy of Claremont called for a division.

A division being taken the vote was declared manifestly in the affirmative.

The bill was then ordered to a third reading.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 233, An act relative to the use of the Australian ballot system in towns, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 248, An act relative to horse racing and pari-mutuel pools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 273, An act relating to horse racing and pari-mutuel pools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 312, An act legalizing the November election in the town of Carroll, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 1 and substituting therefor the following: 1. *Proceedings Legalized*. The votes and proceedings at the biennial election of the town of Carroll held on the sixth day of November 1934, are hereby legalized, ratified and confirmed.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 314, An act relating to town elections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 322, An act relating to

town meetings in the town of Claremont, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 196, An act relating to the administration of anesthetics, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole thereof and inserting in its place the following: 1. Amend the Public Laws by inserting after chapter 212 a new chapter to be numbered 212A. The Administration of Anesthetics, to read as follows: 1. *Authorized.* No person shall administer general anesthetics to an individual in this state except a duly licensed physician, surgeon or dentist. No general anesthetic shall be administered by any person unless there be present at the administration of such anesthetic with the consent of the patient, a responsible adult third person in the presence of the patient during the entire time that the patient is under the influence of such general anesthetic.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 344, An act relative to a New Hampshire State Industrial Recovery act, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 345, An act to reorganize the State highway department, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second



time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 347, An act relating to town trustees of trust funds, with the recommendation that the bill be referred to the Committee on Towns and Counties.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Towns and Counties.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 348, An act relating to the powers of the village precinct of Hanover, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 349, An act establishing commissioner districts in the county of Grafton, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Guyer of Hanover the rules were suspended and the bill referred to a special committee consisting of the delegation from the county of Grafton.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 350, An act relat-



ing to municipal water-works, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Blandin of Bath for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 126, Joint resolution in favor of Royce Hutchins et al., with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 9 of said bill by inserting after the word "relief" in lines 7 and 11 the words "exclusive of expenses for administration" so that said section as amended shall read as follows: 9. *Grants to Towns, Cities and Counties.* The governor and council upon order of the state director of relief, approved by the comptroller, are hereby authorized and directed to make grants or reimbursements, out of the state funds in the Emergency Relief Fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief, exclusive of expenses for administration, to the extent of fifty per cent of the amount expended by said counties, cities and towns. If during any period while this act is in effect, federal funds are made available to the state for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief exclusive of expenses for administration, in accordance with any regulations or conditions imposed by the federal authorities, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally

by the state and by the counties, cities and towns. Provided, however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 14 hereof; and provided, further, that the board shall have the right to reduce the percentage to be contributed by the state to the counties, cities and towns at any time during the duration of this act when it shall appear that the funds provided in section 14 hereof will not be sufficient to make grants or reimbursements to the extent of fifty per cent of the amount expended by said counties, cities and towns.

Amend section 14 by striking out the whole thereof and substituting in place thereof the following: 14. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act relative to the state's contributions for poor relief, the state treasurer is hereby authorized, in the discretion of the governor and council, to borrow in such amounts as may be determined by the governor and council upon the credit of the state one million eight hundred thousand dollars (\$1,800,000) for the period beginning with the passage of this act and ending June 30, 1936 and one million two hundred thousand dollars (\$1,200,000) plus any unexpended balance of the previous period, for the fiscal year ending June 30, 1937 and for that purpose may issue notes in the name of and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such time as the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes countersigned by the governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in

such manner as they may determine most advantageous to the state. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refundings.

Amend section 23 by striking out the whole thereof and substituting therefor the following: 23. *Expenses*. All expenses of the board of welfare and relief in the administration of this act relative to the Division of Relief shall be a charge upon the Emergency Relief Funds.

The report was accepted.

The question being on the amendments offered by the Committee on Judiciary on Tuesday's session.

Amend by striking out all of section 1 and substituting therefor the following: 1. *Board Constituted*. For the duration of this act there is hereby constituted the state board of welfare and relief. Upon the passage of this act the governor with the advice and consent of the council shall appoint three members of said board, not more than two of whom shall be of the same political party, each for a term for the duration of this act. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time for cause.

Amend section 4 by striking out all of said section and substituting therefor the following: 4. *Duties Enlarged*. Said board shall set up two divisions, one the division of welfare and the other the division of relief.

Amend by striking out all of section 5 and substituting therefor the following: 5. *Division of Welfare*. Said board shall appoint a state director of the division of welfare, who, under its direction, shall give his entire time to the duties of such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other

duties as may rightfully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the governor and council, and may remove him for cause.

Amend by striking out all of section 6 and substituting therefor the following: 6. *Assistants*. Said board shall employ and fix the compensation of inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board.

Amend by striking out all of section 7 and substituting therefor the following: 7. *Director of Relief*. Said board shall appoint a state director of the division of relief, fix his compensation and may remove him for cause.

Amend by striking out all of section 8 and substituting therefor the following: 8. *Duties of Director of Relief*. It shall be the duty of said director and he shall have power and authority under the supervision of said board:

I. To have and exercise general supervision over the administration of unemployment relief and poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report such information, monthly and annually, relative to unemployment relief and poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to unemployment relief and poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders for the administration of unemployment relief and poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the moneys granted by the state to counties, cities and towns under this act and to comply with rules and regulations of the federal



government or any of its agencies relative to unemployment relief and poor relief.

Amend by striking out all of section 9 and substituting therefor the following: 9. *Grants to Towns, Cities and Counties.* The governor and council upon order of the state director of relief, approved by the comptroller, are hereby authorized and directed to make grants or reimbursements, out of the state funds in the Emergency Relief Fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief, to the extent of fifty per cent of the amount expended by said counties, cities and towns. If during any period while this act is in effect, federal funds are or are made available to the state for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief in accordance with any regulations or conditions imposed by the federal authorities, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the state and by the counties, cities and towns. Provided, however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 14 hereof; and provided, further, that the board shall have the right to reduce the percentage to be contributed by the state to the counties, cities and towns at any time during the duration of this act when it shall appear that the funds provided in section 14 hereof will not be sufficient to make grants or reimbursements to the extent of fifty per cent of the amount expended by said counties, cities and towns.

Amend by striking out all of section 12 and substituting therefor the following: 12. *Acceptance of Funds.* The governor is hereby authorized, on behalf of the state, to accept all moneys that may be advanced to or otherwise placed at the disposal of the state by the federal government, or any of its agencies, for the purpose of caring for the poor, the distressed, and the unemployed; and may make such orders, rules and regulations relative to the disbursement of such



moneys as may be necessary to comply with any terms, conditions, orders, rules or regulations as may be prescribed by the federal government or any of its agencies, or by the President of the United States.

Amend by striking out all of section 15 and substituting therefor the following: 15. *Emergency Relief Fund.* The money received from the sale of notes authorized by section 14 hereof shall be deposited with the state treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the governor for the purposes of this act alone; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the state treasurer and applied to the payment of the notes issued hereunder.

Amend by striking out all of section 17 and substituting therefor: 17. *Audit of Accounts.* No state grants or reimbursements shall be made to counties, cities or towns for poor relief under the provisions hereof until the bills or accounts showing the expenditures for poor relief by said counties, cities or towns have been submitted to or approved by the state comptroller, provided, however, that grants and reimbursements may be made subject to final audit. Said comptroller is hereby authorized to employ with the approval of the governor and council such auditors as may be necessary to inspect and audit said bills and accounts and to make such rules and regulations as may be necessary to carry out the provisions of this section. The expenses incurred by the comptroller under the provisions of this section shall be a charge upon the Emergency Relief Fund hereinbefore provided for.

Further amend said bill by inserting a new section as follows: 18. *Taxes.* The selectmen of towns and mayors of cities are hereby authorized and shall, upon instructions from the tax commission, direct the fixing of tax rates and the assessment of taxes, so that only such amounts shall be raised for the relief of the poor of the town or city as will represent,

as nearly as may be estimated, the actual amount to be contributed by the town or city for that purpose, taking into consideration the assistance which may be given said city or town by the state or federal agencies. The county conventions shall take into account in making their appropriations for poor relief the amounts which the state and other agencies shall pay.

Further amend said bill by making section 18 read section 19.

Further amend said bill by making section 19 read section 20.

Further amend said bill by making section 20 read section 21.

Further amend said bill by making section 21 read section 22.

Further amend said bill by making section 22 read section 23.

Further amend said bill by striking out all of section 23 and substituting therefor the following: 24. *Takes Effect.* This act shall take effect upon its passage.

(Discussion ensued)

On a *viva voce* vote the amendments were adopted.

(Mr. Wilson of Manchester in the Chair)

The question being on the amendments offered by the Committee on Appropriations.

(Discussion ensued)

(The Speaker in the Chair)

On motion of Mr. Stevenson of Exeter at 12:58 o'clock the House took a recess until 2:55 o'clock.

(After recess)

The consideration of House Bill No. 296, An act relative to a State board of welfare and relief, was resumed.

Mr. Keefe of Dover moved that all of the amendments offered by the Committee on Appropriations with the exception of the amendment to Section 9 be adopted.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

Mr. Weston of Milford moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* the previous question was ordered.

The question being

On the motion of Mr. Keefe of Dover.

On a *viva voce* vote the affirmative prevailed.

Mr. Osborne of Sunapee moved that the amendment offered by the Committee on Appropriations to Section 9 be adopted.

The question being on the motion of Mr. Osborne.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

On the motion of Mr. Osborne.

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

On motion of Mr. Keefe of Dover the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 261, An act relating to regulation of traffic in intoxicating liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 181, An act relating to rules and regulations of the liquor laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 181, An act re-

lating to rules and regulations of the liquor laws, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JAMES D. DALY,  
WILLIAM B. CONNOR,

*A Minority of the Committee.*

Mr. Jones of Lebanon moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill with the accompanying reports be laid upon the table and made a special order for Wednesday, March 13 at 11:01 o'clock.

On a *viva voce* vote the affirmative prevailed.

Mr. Rose of Portsmouth for the special committee consisting of the delegation from the city of Portsmouth, to whom was referred House Bill No. 80, An act to amend the charter of the city of Portsmouth, reported the same with the recommendation that the bill be referred to the voters of the city of Portsmouth for referendum.

The undersigned, a minority of the special committee consisting of the delegation from the city of Portsmouth, to whom was referred House Bill No. 80, An act to amend the charter of the city of Portsmouth, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

MARY C. DONDERO,  
ANDREW J. BARRETT,  
P. J. KITTREDGE,  
T. J. BUCKLEY,

*A Minority of the Committee.*

Mr. Barrett of Portsmouth moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and accompanying reports be laid upon the table and made a special order for Wednesday, March 6 at 11:01 o'clock.

On a *viva voce* vote the affirmative prevailed.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 291, An act authorizing the town of Boscawen to issue refunding notes or bonds.

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

On motion of Mr. Guay of Laconia at 3:55 o'clock the House adjourned.

## AFTERNOON

The House was immediately called to order in afternoon session.

## THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 4 (In new draft), An act to control the distribution and sale of milk.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 196, An act relating to the administration of anesthetics.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 312, An act legalizing the November election in the town of Carroll.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Ahern of Concord at 3:58 o'clock the House adjourned.



THURSDAY, FEBRUARY 28, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

The following letter was read by the Clerk:

Concord, N. H., February 27, 1935.

Mr. William J. Ahern

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Thursday. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

#### LEAVES OF ABSENCE

Mr. Legassie of Lincoln was granted leave of absence for the day on account of illness.

Mr. Weston of Milford was granted leave of absence for the day on account of attending a funeral.

Mr. Hunter of Hanover was granted leave of absence for the day on account of important business.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 96, An act relative to booths in establishments where beverages are sold.

House Bill No. 185, An act relating to clerk hire in the probate office of Rockingham county.

House Bill No. 316, An act relative to the issue of notes by the county of Merrimack.

The report was accepted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 116, An act to provide for city, town, village district and regional planning boards, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 149, An act having reference to personal property in unorganized places, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 220, An act relating to diseases of domestic animals, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 2 by striking out the whole thereof and inserting in its place the following: 2. Amend Section 46, Chapter 187 of the Public Laws as amended by Section 1, Chapter 22 of the Laws of 1931 by striking out the whole of said section and inserting in its place the following: 46. *Exceptions; Special Areas.* When eighty-five per cent of the cattle owners in any given town or county apply or have applied to the state for the tuberculin or bang's disease test, or when eighty-five per cent of all the cattle in a town or county are under state supervision, the commissioner may declare any town or county a quarantine area and proceed to test all animals within said area. When said area has been declared practically free from tuberculosis or bang's disease by the commissioner, said area may be declared a modified accredited area and the commissioner may issue rules and regulations prohibiting the shipment or transportation into said area of any bovine animals without permit and proper health certificates. The commissioner shall make such tests from time to time as he sees fit at the expense of the state, but if any reactors shall at any time be found they shall be appraised, slaughtered, and paid for as provided by this chapter, or may be retained in strict quarantine as herein provided. The commissioner may retest any animal or animals when in his judgment the conditions warrant it.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the whole thereof and inserting in its place the following: That the sum of three thousand dollars (\$3000) for the year 1935 and a like sum for the year 1936 be and the same is hereby appropriated for the promotion and encouragement of New Hampshire agricultural fairs, held within the state and an exhibit at the Eastern States Exhibition at Springfield, Massachusetts. Said sums to be expended by the Commissioner of Agriculture under such rules and regulations as he may prescribe, and where the sums paid for agricultural exhibits total one hundred dollars (\$100.00) or more, but the sum expended for an exhibit at the Eastern States Exhibition shall not exceed ten per cent of the total appropriation. The Governor is authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Brouillette of Manchester for the Committee on Labor, to whom was referred House Bill No. 121, An act relating to employment of married women, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred Senate Bill No. 8, An act providing for the appointment of highway agents, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 92, An act relating to the conduct of tax sales by collectors of taxes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 290, An act prohibiting the use of the State seal, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 281, An act relating to toilet facilities in restaurants, reported the same in a new draft and with a new title and with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Public Health.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Public Health.

Mr. Cummings of Newport for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 116, Joint resolution for the improvement of a road in Springfield, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 120, An act relative to rights and qualifications of voters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 351, An act to regulate the practice of barbering, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 352, An act relating to advertising liquor, with the recommendation that the bill be referred to the Committee on Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 353, An act relative to conveyance of land to the State for highway purposes, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Guyer of Hanover the rules were suspended and the bill referred to a special committee consisting of the delegation from the county of Grafton.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 355, An act relative to the operation of motor vehicles, with the recom-



mendation that the bill be referred to the Committee on Transportation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 356, An act authorizing the sale of certain property of the State, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 357, An act relating to lotteries, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 358, An act relating to trailers, with the recommendation that the bill be referred to the Committee on Transportation.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Transportation.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 359, An act amending the charter of the city of Concord, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Wylie of Concord the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Concord.

Mr. Keefe of Dover for the Committee on Rules, reported

the following entitled bill, House Bill No. 360, An act establishing a board of registration governing the practice of hair-dressing and beauty culture, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 361, An act relating to the taking of pike perch, with the recommendation that the bill be referred to the Committee on Fisheries and Game.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Fisheries and Game.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 128, Joint resolution in favor of Michael Masserelli, Rose Masserelli and Rose Spiegel, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 129, Joint resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress, with the recommenda-

tion that the joint resolution be referred to the Committee on Judiciary.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 130, Joint resolution in favor of Henry Boulanger, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 131, Joint resolution for the assistance of war veterans in obtaining such rights and privileges as they may be entitled to by law, with the recommendation that the joint resolution be referred to the Committee on Military Affairs.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Military Affairs.

#### RESOLUTION

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns today it be to meet at 9 o'clock on Friday morning and when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

#### NOTICE OF RECONSIDERATION

Mr. Tucker of Portsmouth gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House assigned as a special order for Wednesday, March 6, House Bill No. 80, An act to amend the charter of the city of Portsmouth.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House

of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 144, An act regarding the weekly payment of wages.

The message further announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 28, An act relative to keeping liquor for sale.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 28, An act relative to keeping liquor for sale.

The bill was read a first and second time and referred to the Committee on Liquor Laws.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 213, An act relating to alcoholic beverages.

Amend Section 1 of the bill by striking out the words "one year" in the third line of said section and inserting in place thereof the words six months.

Further amend said section by striking out the words "one year during the calendar year" in the sixteenth and seventeenth lines of said section and inserting in place thereof the words six months.

Further amend said section by adding at the end thereof the following: Provided however, this will not change the present law pertaining to restaurants and clubs doing a summer business only.

So that said section as amended shall read:

1. Amend Section 8, Chapter 99 of the Laws of 1933 by striking out in line 14 the words "two months" and inserting

in place thereof the words six months, so that said section as amended shall read as follows:

8. *On-Sale Permits.* On-sale permits shall be issued only for restaurants or hotels or for clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of restaurants, at public tables upon the premises designated in the permit, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the commissioners; or in the case of hotels or clubs, at tables or in rooms of guests or members. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months prior to the application for such permit; provided it shall be within the discretion of the commissioners to issue to a permittee under this act a special permit to sell beverages. Provided however, this will not change the present law pertaining to restaurants and clubs doing a summer business only.

Mr. Stevenson of Exeter moved that the House adjourn and on this motion asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

On motion of Mr. Callahan of Keene the amendments sent down from the Honorable Senate were laid upon the table.

On motion of Mrs. Mason of Berlin business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 149, An act having reference to personal property in unorganized places.

House Bill No. 116, An act to provide for city, town, village district and regional planning boards.



Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Harmon of Portsmouth at 12:03 o'clock the House adjourned.

---

FRIDAY, MARCH 1, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., March 1, 1935.

Mr. Alfred W. Guyer,  
Hanover, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the House adjourned.

---

MONDAY, MARCH 4, 1935.

The House met at 7:30 p. m.

The following letter was read by the Clerk:

Bath, N. H., March 4, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Grant of Lyme at 7:31 o'clock the House adjourned.

TUESDAY, MARCH 5, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Messrs. Kemp of Concord and Plastridge of North Hampton were granted leave of absence for the week on account of illness.

Mr. Estabrook of Alstead was granted leave of absence for the day on account of important business.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 46, An act to incorporate the Clark School Foundation.

House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond.

House Bill No. 291, An act authorizing the town of Bosca-wen to issue refunding notes or bonds.

House Bill No. 297, An act to change the name of the Manchester Safety Deposit and Trust Company.

Senate Joint Resolution No. 4, Joint resolution for the procurement of Federal co-operation in the stabilizing of the Merrimack river.

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

The report was accepted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 146, An act relating to primary elections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 93, An act relating to the suspension or revocation of beer permits, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 252, An act relating to service of process upon dealers in securities, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 4 and 16 the words "or at his abode" so that said section as amended shall read as follows:

1. Amend section 9 of chapter 284 of the Public Laws by adding at the end of said section the following: Service of such process shall be made by leaving a copy of the process in the hands of the commissioner or in his office and paying to the commissioner a fee of two dollars, so that said section as amended shall read as follows:

9. *Non Resident's Agent*. Every non-resident dealer shall file an irrevocable power of attorney, properly authorized, and with satisfactory certificates or other evidence of the authorization, appointing the commissioner his agent for the service of legal process upon the dealer in any action in the courts of this state based upon, or arising in connection with, any sale of, attempt to sell, or advertising of, securities in this state, or any violation of this chapter. Service of such process shall be made by leaving a copy of the process in the hands of the commissioner or in his office and paying to the commissioner a fee of two dollars.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Rose of Portsmouth for the Committee on Liquor

Laws, to whom was referred House Bill No. 53, An act providing for damages caused by liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 53, An act providing for damages caused by liquor, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM B. CONNOR,  
*A minority of the committee.*

Mr. Connor of Sutton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Moran of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the negative prevailed.

The question being on the motion to substitute.

Mr. Hoyt of Sandwich asked for a division.

A division being taken the vote was declared manifestly in the negative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 45, An act to amend the school laws, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Revision of the Statutes, to whom was referred House Bill No. 45, An act to amend the school laws, being unable to agree with the

majority, reported the same with the recommendation that the bill ought to pass.

ARTHUR K. SMART,  
DENNIS McDONOUGH,  
HAROLD C. SULLIVAN,  
HENRY J. VAN VLIET,

*A minority of the Committee.*

Mr. Smart of Tilton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Smart.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### TAKEN FROM THE TABLE

On motion of Mr. Malloy of Nashua House Bill No. 213, An act relating to alcoholic beverages, was taken from the table.

The question being on the amendments proposed by the Honorable Senate.

On motion of Mr. Malloy of Nashua the House voted to nonconcur in the amendments, and asked for a committee of conference.

The Speaker appointed as such committee on the part of the House Messrs. Malloy of Nashua, Coakley of Concord, and Chandler of Gorham.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled



bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 82, An act relating to the water commissioners for the town of Peterborough.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

House Bill No. 203, An act relative to fishing through the ice in Nubanusit lake and Spoonwood pond.

House Bill No. 299, An act relating to the town of Richmond.

House Joint Resolution No. 72, Joint resolution providing for repayment of permit fees to certain persons.

House Joint Resolution No. 120, Joint resolution in favor of Charlotte Guay Elliott.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Authorization.* The town of Barnstead is hereby authorized to issue its serial notes or bonds to an amount not exceeding twenty thousand dollars (\$20,000) for the purpose of refunding outstanding indebtedness of a like amount. Said serial notes or bonds shall be signed by the selectmen and countersigned by the treasurer.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the fol-

lowing joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

Amend the resolution by striking out in line 15, the word, "four," and inserting in place thereof the word, "twelve," so that the resolution as amended shall read as follows:

That Guy S. Neal, sergeant-at-arms of the House be allowed the sum of thirty-six dollars; that Wallace S. Thompson be allowed the sum of thirty-two dollars; that Fred W. Friend be allowed the sum of thirty-two dollars; that Harold Fournier be allowed the sum of eighty-four dollars; that Reginald Cargill be allowed the sum of fifty dollars; that Roland F. Smith be allowed the sum of fifty dollars; that Theodore R. Brown be allowed the sum of twenty-four dollars; that Robert W. Focht be allowed the sum of twenty-four dollars; that P. E. Gilman be allowed the sum of sixteen dollars; that Fred Rousseau be allowed the sum of sixteen dollars; that Melvin Brungot be allowed the sum of twenty dollars; that Raymond B. Lakeman be allowed the sum of twenty-six dollars; that Charles C. Crowley be allowed the sum of twenty dollars; that Benjamin H. Bragg be allowed the sum of eight dollars; that William W. Allen be allowed the sum of eight dollars; that Martin C. Ryan be allowed the sum of twelve dollars; that Alice V. Flanders be allowed the sum of eight dollars; that Helen M. Young be allowed the sum of sixty-six dollars, in full for their services at the organization of the present Senate and House, and that the Governor be authorized to draw his warrant for the same on the Treasury.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed

bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont.

Senate Bill No. 12, An act relative to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years.

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

#### SENATE BILLS READ AND REFERRED

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont.

Senate Bill No. 12, An act relative to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years.

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

Severally read a first and second time and referred to the Committee on Fisheries and Game.

#### RESOLUTION

On motion of Mr. Hepworth of Derry.

WHEREAS the House has learned with deep sorrow of the death of the wife of George L. Fitts, Representative from Chester, resolved that the Speaker appoint a committee to draw up suitable resolutions to be sent to the bereaved family.

The Speaker appointed as members of such committee

Messrs. Hepworth, Currier, and Pillsbury of Derry, Mr. Adams of Londonderry and Miss Emerson of Windham.

## RECONSIDERATION

Agreeably to previous notice Mr. Tucker of Portsmouth moved that the vote whereby House Bill No. 80, An act to amend the charter of the city of Portsmouth was made a special order for Wednesday, March 6 at 11:01 a. m. be reconsidered.

On a *viva voce* vote the motion prevailed.

On motion of the same member the bill was recommitted to a special committee consisting of the delegation from the city of Portsmouth.

On motion of Mr. Callahan of Keene at 12:26 o'clock the House adjourned.

## AFTERNOON

## THIRD READING

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 252, An act relating to service of process upon dealers in securities.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Matheson of Goffstown at 3:06 o'clock the House adjourned.

---

WEDNESDAY, MARCH 6, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVE OF ABSENCE

Mr. Carroll of Laconia was granted leave of absence for the day on account of illness in family.

## COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 320, An act relative to board of water commissioners for the town of Wolfeboro.

House Bill No. 343, An act authorizing the town of Barnstead to issue refunding notes or bonds.

House Joint Resolution No. 118, Joint resolution in favor of Guy S. Neal and others.

The report was accepted.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 78, An act relating to the sale of eggs at retail, defining fresh eggs and requiring markings of size, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title by adding after the word "retail" the words or wholesale, so that said title shall read as follows:

An act relating to the sale of eggs at retail, or wholesale, defining fresh eggs and requiring markings of size.

Amend section 4 by adding in lines 2 and 3 after the word "retail" the words or wholesale, so that said section as amended shall read as follows:

4. *Fresh Eggs to be Marked.* All fresh eggs for human consumption sold, offered, exposed or advertised for sale at retail, or wholesale, or exchanged or distributed at retail, or wholesale, within the state shall be plainly and conspicuously marked and identified with the word "fresh."

Amend section 5 by adding in lines 2 and 3 after the word "retail" the words or wholesale, so that said section as amended shall read as follows:

5. *Size to be Marked.* The size of all eggs for human consumption which are sold, offered, exposed or advertised for sale at retail, or wholesale, or exchanged or distributed at retail, or wholesale, within this state in bulk, or in open or closed packages or containers, shall be plainly and conspicu-



ously marked and identified as large, medium, pullet, small, pewee or unclassified, as the case may be, or by such other terms as the commissioner of agriculture may from time to time prescribe.

Amend section 7 by adding in line 2 after the word "retail" the words or wholesale, so that said section as amended shall read as follows:

7. *Shell-treated Eggs.* Shell-treated eggs or shell protected eggs sold, offered, exposed or advertised for sale at retail, or wholesale, or exchanged or distributed at retail, or wholesale, within the state shall be plainly and conspicuously marked and identified as shell-treated or shell protected.

Amend section 8 by adding in line 8 after the word "retail" the words or wholesale, so that said section as amended shall read as follows:

8. *Rules and Regulations.* The commissioner of agriculture shall have general authority to administer this act and shall make and may modify uniform rules and regulations for carrying out the provisions of this act. Said commissioner is hereby authorized to appoint agents to assist him and to fix their salaries within the amount appropriated therefor. He shall in person or by his deputy or agent have free access, ingress and egress at all reasonable hours to any place, building or vehicle in which eggs are sold, offered or exposed for sale, or exchanged or distributed at retail, or wholesale. He shall also have power in person or by his deputy or agent to open any package or container, and may upon tendering the market price take such container and its contents or sample therefrom.

The report was accepted, the amendments adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 318, An act relating to the buying or selling of poultry to be used for food, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. McLean of Plymouth the bill was recommended to the Committee on Agriculture.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the words "with two percent interest from the time that sum was deposited with the state treasurer" in lines 3 and 4 so that said resolution as amended shall read as follows: That the state treasurer be directed to pay to Eudora M. Munder of Springfield, Massachusetts, legatee under the will of John C. Young, the sum of one hundred dollars (\$100) as property belonging to the estate of said John C. Young.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in its place the following: That the sum of six hundred and forty five dollars and eighty eight cents (\$645.88) be and hereby is appropriated as follows: Dr. S. G. Davis, Nashua, one hundred and forty dollars, (\$140), Nashua Hospital Association, thirty two dollars and thirty five cents,

(\$32.35), and Harry L. Whitney, four hundred seventy three dollars and fifty three cents (\$473.53) to reimburse Harry L. Whitney for expenses paid on account of injuries received by him while working on the state aided highway in Brookline, June 21, 1934. Said sum appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Appleton of Dublin the joint resolution was referred to the Committee on Appropriations.

Mr. Adams of Seabrook for the Committee on Coastwise Improvements, to whom was referred House Bill No. 337, An act making appropriations for Hampton river jetties, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 275, An act relating to the practice of pharmacy and the sale of drugs, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Public Health.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 256, An act relative to brands for bottles and other containers,

reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 142, An act relating to the duties of selectmen in warning town-meetings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Neal of Meredith the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 298, An act relative to furnishing information to prosecuting officers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. If the attorney-general upon his own motion or upon the request of any county solicitor or chief of police shall deem it necessary in connection with the prevention or punishment of crime to obtain the numbers and locations of any unlisted telephones in any specified city or town, any telephone or

telegraph company operating in such city or town shall furnish such numbers and locations upon the written request of the attorney-general, provided, however, that no disclosure shall be made by such officials of any information so furnished except in so far as may be necessary in connection with the prevention and punishment of crime.

2. Any official of such telephone or telegraph company who shall refuse or neglect to give information as required in section 1 shall be punishable by a fine not exceeding one hundred dollars (\$100).

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Malloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 137, An act relating to incompatibility of officers in towns, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 170, An act relating to the collection of taxes from persons furnished work by towns, cities or the state, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 180, An act relating to old age assistance, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 201, An act relat-



ing to the incompatibility of certain offices, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 282, An act relating to rights of voters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 6 (In new draft), An act relating to horse racing and creating a state racing commission, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 2 and inserting in place thereof the following: 2. *Racing Fund*. The state treasurer shall keep a separate account to be known as the racing fund, to which shall be credited all money received from the tax on admissions and tax on contributions to pari-mutuel pools as provided for in this act. Said fund shall, after paying the expense of collection thereof and all other expenditures provided for herein, be covered at intervals of three months into the special fund constituted by chapter 126 of the Laws of 1931, entitled "An act providing a special fund for the rehabilitation of treasury balances and the retirement of state indebtedness" and distributed in accordance therewith.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 6 (In new draft), An act relating to horse racing and creating a state racing commission, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM WESTON,  
*A minority of the Committee.*

Mr. Weston of Milford moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Weston.

(Discussion ensued)

Mr. Henderson of Durham moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

Mr. Weston of Milford asked for a division.

A division being taken, 39 members voted in the affirmative and 308 members voted in the negative and the motion to substitute did not prevail.

The question being on the amendment proposed by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Martel of Berlin offered the following amendment:

Amend section 4 of said bill by adding at the end thereof the following words:

Provided, however, it shall be unlawful for the commission to appoint to any position under its jurisdiction any state, county, city or town official or employee whose total annual salary or compensation from said state, county, city or town exceeds \$1000.00.

So that said section as amended shall read as follows:

4. *Assistants.* The commission, with the approval of the governor and council, is authorized to employ such assistants and employees as it may deem necessary to provide adequate policing and to carry out the purposes of this act at such compensation on a per diem basis as the commission may prescribe. Provided, however, it shall be unlawful for the commission to appoint to any position under its jurisdiction any state, county, city or town official or employee whose total annual salary or compensation from said state, county, city or town exceeds \$1000.00.

The question being on the amendment.

(Discussion ensued)

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Ladouceur of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Wilson of Manchester asked for a division.

A division being taken 238 members voted in the affirmative and 104 members voted in the negative and the amendment was adopted.

Mr. O'Reilly of Manchester offered the following amendment:

Amend Section 15 by inserting after the word "act" in line six of said section, the following: "and thirty-five per cent of the odd cents of all redistributions to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of five,"

So that said section as amended shall read as follows:  
15. *Tax on Pari-Mutuel Pools.* Each person, association or corporation licensed to conduct a race or race meet under this act shall pay to the State treasurer for the use of the State a sum equal to three-and-one-half per cent of the total contributions to all pari-mutuel pools conducted or made at any race or race meet licensed under this act, and thirty-five per cent of the odd cents of all redistribution to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of five, and shall pay to the city or town treasurer in which the racing plant is located the sum of two hundred and fifty dollars for each day of racing, provided said person, association or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association or corporation has a license to conduct races or race meets for less than eight days during the year for which the license is issued, the per diem fee to be paid to the city or town treasurer shall be determined by the commission.

The question being on the amendment.

(Discussion ensued)

Mr. Keefe of Dover rose to a question of personal privilege and requested that all legislative agents be asked to leave the hall.

The Speaker granted the request.

On a *viva voce* vote the amendment was not adopted.

Mr. O'Reilly of Manchester asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

Mr. Daniel of Manchester offered the following amendment:

Amend Section 2 of House Bill No. 6 by striking out the entire section and substituting the following: 2. *Old Age Assistance Fund*. The state treasurer shall keep a separate account to be known as the old age assistance fund, to which shall be credited all money received from admissions and tax on contributions to pari-mutuel pools as provided for in this act. Said fund shall be used for the purpose of paying the benefits of those entitled to receive old age assistance under any laws now or hereafter existing in addition to any other funds provided for such purpose and after deduction of whatever expenses are necessary for the administration of this act.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Daniel of Manchester demanded the yeas and nays.

The roll call having commenced Mr. Daniel withdrew his demand.

On motion of Mr. Seavey of Rochester the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Van Vliet of Manchester at 12:51 o'clock the House took a recess until 2:55 o'clock.

(After recess)

## RESOLUTIONS

On motion of Mr. Henderson of Durham:

*Resolved*, That the use of Representatives Hall be granted the G. A. R., Thursday evening, April 11, 1935, 8:00 p. m.

Mr. Hepworth of Derry presented the following resolution:

WHEREAS, The New Hampshire House of Representatives has learned with deep sorrow of the death of the wife of Representative George L. Fitts; therefore

*Be it resolved*, That the House extends to Mr. Fitts its sincere sympathy in his bereavement; and

*Be it further resolved*, That the Clerk of the House be instructed to transmit a copy of this resolution to the bereaved family.

OLIVER H. HEPWORTH,  
WESLEY ADAMS,  
GEORGE MOODY CURRIER,  
WALTER A. PILLSBURY,  
BESSIE EMERSON,

*For the Committee.*

On a *viva voce* vote the resolutions were adopted.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 213, An act relating to alcoholic beverages, and the President had appointed on the part of the Senate Senators Condon and Butler.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills.

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

Amend said bill by striking out Section 1 and inserting in place thereof the following:

1. *Report Required.* Any person, surgeon or physician,



or any hospital, sanitarium, dispensary, or other institution doing business in this State who treats or serves any person for a gun shot wound, or who treats or serves any person for any other injury believed to have been caused by felonious act, shall immediately notify the county solicitor, furnishing the solicitor with the name of the patient and such other information as may be known concerning the injury and its history.

House Bill No. 69, An act relating to trespasses and malicious injuries.

Amend section 1 of said bill by striking out the words, "permission of the owner" in the fourth and fifth lines and inserting in place thereof the word, right.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 296, An act relative to a State board of welfare and relief.

Amend section 5 by inserting in line 1 after the word "shall" the words, with the approval of the Governor and Council; so that said section as amended shall read as follows:

5. *Division of Welfare.* Said board shall, with the approval of the Governor and Council, appoint a State director of the division of welfare, who, under its direction, shall give his entire time to the duties of such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other duties as may rightfully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the Governor and Council, and may remove him for cause.

Amend section 6 by adding at the end of said section the following: except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council; so that said section as amended shall read as follows:

6. *Assistants.* Said board shall employ and fix the compensation of inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board, except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council.

Amend section 7 by inserting in line 1 after the word "shall" the words, with the approval of the Governor and Council; so that said section as amended shall read as follows:

7. *Director of Relief.* Said board shall, with the approval of the Governor and Council, appoint a state director of the division of relief, fix his compensation and may remove him for cause.

Amend section 8 by striking out in line 5 after the word "of" the words "unemployment relief and".

Further amend said section by striking out in lines 13 and 16, after the word "to" the words "unemployment relief and".

Further amend said section by adding after the word "orders" in line 18, the words, with the approval of the commission.

Further amend said section by striking out after the word "of" in line 19, the words "unemployment relief and".

Further amend said section by striking out after the word "to" in line 24 the words "unemployment relief and".

So that said section as amended shall read as follows:

8. *Duties of Director of Relief.* It shall be the duty of said director and he shall have power and authority under the supervision of said board:

I. To have and exercise general supervision over the administration of poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report

such information monthly and annually, relative to poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders with the approval of the commission for the administration of poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the moneys granted by the State to counties, cities and towns under this act, and to comply with the rules and regulations of the federal government or any of its agencies relative to poor relief.

Amend section 9 by striking out in lines 2 and 3, after the word "upon" the words "order of the State director of relief approved by" and inserting in place thereof the words, audit and approval of.

Further amend said section by adding after the word "relief" the words, exclusive of the expenses of administration.

Further amend said section by inserting in line 13 after the word "relief" the words, exclusive of expenses for administration.

So that said section as amended shall read as follows:

9. *Grants to Towns, Cities and Counties.* The Governor and Council, upon audit and approval of the comptroller, are hereby authorized and directed to make grants and reimbursements out of the State funds in the emergency relief fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief exclusive of expenses for administration, to the extent of fifty percent of the amount expended by said counties, cities and towns. If during any period while this act is in effect, federal funds are made available to the State for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief exclusive of expenses for administration, in accordance with any regulations or conditions imposed by the federal authori-

ties, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the State and by the counties, cities and towns. Provided however, that the total of all grants or reimbursements out of State funds to said counties, cities and towns shall not exceed the sum provided in section 14 hereof; and provided further that the board shall have the right to reduce the percentage to be contributed by the State to the counties, cities and towns at any time during the duration of this act, when it shall appear that the funds provided in section 14 hereof will not be sufficient to make grants or reimbursements to the extent of fifty percent of the amount expended by said counties, cities and towns.

Amend Section 11 by striking out in line three the following words, "or by any person under his authority," so that said section as amended shall read as follows:

11. *Non-compliance with Orders.* If any county, city or town, or any officer thereof, shall fail substantially to comply with any order, rule or regulation issued by the director of relief, in accordance with the provisions of this act, grants or reimbursements shall not thereafter be made to such county, city or town, until such order, rule or regulation has been complied with. Grants or reimbursements shall not be made to any county, city or town until its indebtedness to the State incurred by any of the provisions of Chapter 160 of the Laws of 1933 have been fully discharged, or provided for to the satisfaction of the Governor and Council.

Amend Section 13a by striking out in line three the following words, "or by any person under his authority," so that said section as amended shall read as follows:

13a. *Appeal.* In case of any disagreement as to poor relief or the administration thereof between any county commissioner, selectman, or said city official and the State director of relief an appeal may be taken by either party to the State board of welfare and relief for a determination of the question. The decision of said board shall be final.

Amend Section 14 by striking out after the word, "any," in line 14 the words, "unexpected balance of the previous



period," and inserting in place thereof the following, "unused appropriation liability," so that said section as amended shall read as follows:

14. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act relative to the state's contributions for poor relief, the state treasurer is hereby authorized, in the discretion of the Governor and Council, to borrow in such amounts as may be determined by the Governor and Council upon the credit of the State one million eight hundred thousand dollars (\$1,800,000) for the period beginning with the passage of this act and ending June 30, 1936 and one million two hundred thousand dollars (\$1,200,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1937 and for that purpose may issue notes in the name of and on behalf of, the State at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such time as the Governor and Council may determine. Such notes shall be countersigned by the Governor and shall be deemed a pledge of the faith and credit of the State. The secretary of state shall keep an account of all such notes countersigned by the Governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The State treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the Governor and Council in such manner as they may determine most advantageous to the State. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by Chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refunding.

Amend Section 15 by striking out after the word, Governor, in the sixth line "for the purposes of this act alone" and in-



serting in place thereof, "with the advice and consent of the Council," so that said section as amended shall read as follows:

15. *Emergency Relief Fund.* The money received from the sale of notes authorized by Section 14 hereof shall be deposited with the State treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the Governor with the advice and consent of the Council; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the State treasurer and applied to the payment of the notes issued hereunder.

15a. *Working Capital.* The Governor is hereby authorized to draw his warrant for any money in the treasury in the emergency relief fund for such sums to be set apart to the credit of the State treasurer as working capital as may appear to the Governor and Council necessary and proper for the prompt payment of bills contracted under the provisions of this act.

Amend Section 21 by adding three new sections to be numbered 21a, 21b and 21c as follows:

21. *Transfer of Powers and Duties.* All powers and duties now conferred by law upon the State board of welfare shall be transferred to the board of welfare and relief hereby constituted, and all powers and duties now conferred by law upon the secretary of the State board of public welfare shall be transferred to the director of the division of welfare hereby constituted.

21a. *Equipment and Supplies.* All equipment and supplies purchased under the provisions of Chapter 160 of the Session Laws of 1933 shall be turned over to the State board of welfare and relief.

21b. *Records and Essential Data.* All records and essential data pertaining to cases of relief compiled under the provisions of Chapter 160 of the Session Laws of 1933 shall be turned over to the State board of welfare and relief for the

use of the counties, towns and cities under such regulations as the board may determine.

21c. *Overseers of the Poor.* For the duration of this act the selectmen of towns or mayors and aldermen in cities shall appoint one or more overseers of the poor to hold office during their pleasure, they shall fix his or their compensation and make a written contract with him or them in relation to said compensation. After said overseers of the poor have been appointed and have qualified the terms of office of the present overseers of the poor whether elected or appointed shall expire. The provisions of this section shall not apply in towns which have voted to assume all liability for their poor in accordance with the provisions of Section 10, and shall not apply in the case of towns where the board of selectmen act as overseers of the poor.

The reading of the amendments having commenced on motion of Mr. Keefe of Dover the further reading was dispensed with.

On motion of the same member the House refused to concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Keefe of Dover, Wilson of Manchester, Osborne of Sunapee, Perley of Lebanon and Sanderson of Pittsfield.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 296, An act relative to a State board of welfare and relief, and the President had appointed on the part of the Senate, Senators Cole, Marston and Manson.

On motion of Mr. Callahan of Keene at 3:36 o'clock the House adjourned.

#### AFTERNOON

The House was immediately called to order in the afternoon session.

## THIRD READINGS

On motion of Mr. Shea of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 256, An act relative to brands for bottles and other containers.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Blood of Concord the Clerk was instructed to procure 500 additional copies of House Bill No. 360, An act establishing a board of registration governing the practice of hairdressing and beauty culture.

On motion of Mr. Thompson of Lancaster at 3:40 o'clock the House adjourned.

---

THURSDAY, MARCH 7, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 12, An act for the greater detection of crime and apprehension of criminals.

House Bill No. 69, An act relating to trespasses and malicious injuries.

House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds.

The report was accepted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Betley of Manchester for the Committee on Labor, to whom was referred House Bill No. 133, An act relating to injunctions in labor disputes, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 3 and 4 and in lines 19 and 20 the words: "Nor shall an injunction without notice be issued in labor disputes and" and by inserting after the word "pending" in lines 6 and 23 the words: and shall be heard forthwith, so that said section as amended shall read as follows:

1. Amend section 27 of chapter 380 of the Public Laws by inserting at the end thereof the following:

All appeals from court orders granting or denying an injunction in such matters shall be given precedence in the superior and supreme courts over other matters pending, and shall be heard forthwith, to the end that a speedy perfection of such appeals and their decision may be reached in the smallest possible length of time, so that said section as amended shall read as follows:

27. *Interference.* If any person shall interfere in any way whatever to injure or damage another in his person or property, while engaged in his lawful business, trade or occupation, or while on the way to or from the same, or shall endeavor to prevent any person from engaging in his lawful business, trade or calling, he shall be fined not more than five hundred dollars, or imprisoned not more than one year; provided, that it shall not be unlawful for any person to reason, talk or argue with, and by arguments persuade or induce, such other person to do any act or thing or pursue any line of conduct, which is not the commission of an offense under the laws of this state. All appeals from court orders granting or denying an injunction in such matters shall be given precedence in the superior and supreme courts over other matters pending, and shall be heard forthwith, to the end that a speedy perfection of such appeals and their decision may be reached in the smallest possible length of time.

The report was accepted, the amendment adopted and the bill ordered to a third reading.



Mr. Brouillette of Manchester for the Committee on Labor, to whom was referred House Bill No. 130, An act reducing the hours of labor of employees in state institutions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Miss Greenfield of Rochester for the Committee on Insurance, to whom was referred House Bill No. 199, An act relative to the relation between insurance agents and their companies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Greenfield of Rochester for the Committee on Insurance, to whom was referred House Bill No. 250, An act relating to the service of process on the insurance commissioner, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 139, An act relative to bonds for collection agencies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 258, An act creating a New Hampshire bridle path commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 195, An act relating to "Licenses for Sanitaria", reported the same in a new draft and new title with the recommendation that the bill in its



new draft and with its new title be referred back to the Committee on Public Health.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Public Health.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 9, An act providing for adequate pensions to certain aged citizens and for ways and means of raising the required revenue, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Thayer of Epping for the special committee consisting of the delegation from the county of Rockingham, to whom was referred House Bill No. 160, An act to divide the town of Hampton and to constitute the town of Hampton Beach, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Molloy of Nashua the rules were suspended to allow of the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Molloy of Nashua presented the following report:

The Committee of Conference to whom was referred House Bill No. 213, An act relating to the sale of certain alcoholic beverages, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and adopt the following amendment:

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Permits*. Amend section 8 of chapter 99 of the Laws of 1933 by striking out the last sentence of said section and inserting in place thereof the following: No such permit shall be issued for any restaurant

or club which has not been established and doing business for at least six months, during the calendar year, prior to the application for such permit; provided that it shall be within the discretion of the commission to issue a permit to any restaurant or club doing business only during the summer season when such restaurant or club has been established and doing business for at least two months during the calendar year prior to the application for such permit. It shall be within the discretion of the commission to issue to a permittee under this act a special permit to sell beverages. Applications for permit by restaurants established and doing business before November 1st, 1934, shall be issued pursuant to the law prior to the passage of this act, so that said section as amended shall read as follows: 8. *On-Sale*——. On-sale permits shall be issued only for restaurants or hotels or for clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of restaurants, at public tables upon the premises designated in the permit, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the commissioners; or in the case of hotels or clubs, at tables or in rooms of guests or members. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months, during the calendar year, prior to the application for such permit; provided that it shall be within the discretion of the commission to issue a permit to any restaurant or club doing business only during the summer season when such restaurant or club has been established and doing business for at least two months during the calendar year prior to the application for such permit. It shall be within the discretion of the commission to issue to a permittee under this act a special permit to sell beverages. Applications for permit by restaurants established and doing business before November 1st, 1934,

shall be issued pursuant to the law prior to the passage of this act.

WILLIAM A. MOLLOY,  
CHARLES P. COAKLEY,  
CHARLES A. CHANDLER,  
*Conferees on the part of the House.*  
JOHN J. CONDON,  
CHARLES F. BUTLER,  
*Conferees on the part of the Senate.*

The report was accepted, the amendment adopted and the bill sent to the Secretary of State to be engrossed.

## RESOLUTIONS

Mr. Roche of Keene offered the following resolution:

WHEREAS the House has learned with deepest sorrow of the death of our fellow member, John E. White of Keene,

*Resolved*, That the Speaker appoint the delegation from the city of Keene to draw up suitable resolutions and attend the funeral and that the Clerk be instructed to procure a floral tribute.

Mr. Keefe of Dover offered the following amendment:

Add at the end of said resolution the following,

That when the House adjourns it be in respect to the memory of Mr. White.

The amendment was accepted.

The resolution was then unanimously adopted by a rising vote.

On motion of Mr. Lee of Concord,

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock and that when it then adjourns it be to meet on Wednesday morning at 11 o'clock.

Mr. Currier of Derry offered the following resolution:

*Resolved*, That this Legislature respectfully seek the advice of the Congress of the United States as to what, if any, benefit that body derives from the numerous resolutions

which are forwarded to it from the Legislature of this State.  
On a *viva voce* vote the resolution was not adopted.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 362, An act authorizing the town of Meredith to issue refunding notes or bonds.

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 214, An act amending the charter of the city of Nashua.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Board of Aldermen, Organization Meeting.* Amend section 41, of Part I of chapter 427 of the Laws of 1913, being the charter of the city of Nashua, as adopted by vote of the inhabitants of said city, by striking out the words "ten o'clock in the forenoon on the first secular day" in the first and second lines and inserting in place thereof the words, eight o'clock in the evening on the second Tuesday, and by striking out the words, "board of inspectors of checklist" in the ninth and tenth lines, so that said section as amended shall read as follows: 41. The board of aldermen so chosen shall meet at eight o'clock in the evening on the second Tuesday of January next following their election, in their capacity as the board of aldermen, for the purpose of taking their respective oaths of office, organizing adopting rules for the transaction of business by such board, electing such officers as are by law or ordinance required to be elected and transacting any other



business required by law or ordinance to be transacted at such meeting. The mayor, members of the board of education, board of assessors, board of public works, board of fire commissioners, and all other officers who are required to take an oath of office shall meet in convention with the board of aldermen at said time and take their respective oaths of office.

2. *City Officers, Term of Office.* Amend section 42 of Part I of said chapter 427 by striking out said section and inserting in place thereof the following: 42. The board of aldermen shall elect by viva voce and major vote on roll call a city clerk and overseer of the poor who shall be one and the same person, city treasurer and collector of taxes, who shall be one and the same person, city physician, city solicitor, and board of health, said officers to hold office for a term of two years, each. In all other cases offices shall be filled by appointment of the mayor, subject to confirmation by said board, except the city messenger, who shall be chosen and appointed by the mayor, unless otherwise provided for in this charter. All vacancies occurring in such offices shall be filled in the same manner. Unless otherwise provided for herein the board of aldermen may by ordinance prescribe the time for choosing or appointing all officers to be chosen by it, or by the mayor, and fix their compensation and terms of office, but not exceeding two years. In all cases where salaries or wages for services are paid from the municipal treasury, the compensation shall be determined by the board of aldermen upon recommendation of the several departments, excepting those employed in connection with the schools.

On motion of Mr. Molloy of Nashua the message with the amendment was laid upon the table.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 65, An act relating to the superior court.

Amend said bill by striking out section 1 and inserting in place thereof the following:



1. *Number of Justices Increased.* Amend section 1 of chapter 316 of the Public Laws, as amended by Chapter 51 of the laws of 1927, by striking out the word "five" and inserting in place thereof the word seven, so that said section as amended shall read as follows: 1. *Justices.* The superior court shall consist of a chief justice and seven associate justices, appointed and commissioned as prescribed by the constitution.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Appropriation.* There is hereby appropriated a sum not exceeding five thousand two hundred and fifty dollars for the salaries of the said justices for the balance of the fiscal year ending June 30, 1935; and there is hereby appropriated a sum not exceeding one thousand three hundred and fifty dollars for the expenses of said justices for the balance of the fiscal year ending June 30, 1935. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Mr. Callahan of Keene moved that the House non-concur and ask for a Committee of Conference.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House Messrs. Callahan of Keene, Ahern of Concord, Leahy of Claremont, Kearns of Manchester, and Mitchell of Campton.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 9, An act relative to fees for certificates of approval from the State liquor commission and manufacturer's permits.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 9, An act relative to fees for certificates of approval from the State liquor commission and manufacturer's permits.

Read a first and second time and referred to the Committee on Liquor Laws.

At 12:02 o'clock the House took a recess.

(After recess)

Mr. Keefe of Dover for the Committee of Conference made the following report:

The Committee of Conference to whom was referred House Bill No. 296, An act relative to a State board of welfare and relief, reported the same with the recommendation that the House recede from its position of non-concurrence and adopt the following amendments:

Amend said bill by striking out all after the enacting clause and inserting in its place the following:

1. *Board Constituted.* For the duration of this act there is hereby constituted the state board of welfare and relief. Upon the passage of this act the governor with the advice and consent of the council shall appoint three members of said board, not more than two of whom shall be of the same political party, each for a term for the duration of this act. Each member shall continue in office until his successor has been appointed and qualified. If a vacancy shall occur in said board it shall be filled for the remainder of the term. Any member of said board may be removed by the governor and council at any time *for cause*.

2. *Chairman; Secretary.* The governor and council shall designate one member of said board as chairman and another as secretary.

3. *Compensation.* The members of said board shall be paid eight dollars a day, each, for such time as they are actually engaged in the service of the state and their actual expenses.

4. *Duties Enlarged.* Said board shall set up two divisions, one the division of welfare and the other the division of relief.

5. *Division of Welfare.* Said board shall appoint a state director of the division of welfare, who, under its direction, shall give his entire time to the duties of such division, act as visiting agent to placed-out children and supervisor of volunteer visitors and perform such other duties as may right-

fully belong to his office or as may be assigned to him by the board of welfare and relief. Said board shall fix the compensation of said director, subject to the approval of the Governor and Council, and may remove him for cause.

6. *Assistants.* Said board shall employ and fix the compensation of such inspectors, qualified assistants or other employees as may be necessary properly to perform the duties of both divisions of said board, except that the number so employed and schedules covering their compensation shall be approved by the Governor and Council.

7. *Director of Relief.* Said board shall appoint a state director of the division of relief, fix his compensation and may remove him for cause.

8. *Duties of Director of Relief.* It shall be the duty of said director and he shall have power and authority under the supervision and approval of said board:

I. To have and exercise general supervision over the administration of poor relief through work programs and/or direct relief by counties, cities and towns and the expenditure of all moneys therefor.

II. To confer with, advise and give necessary instructions and directions to local relief officers throughout the state relative to their duties.

III. To require county, city and town officers to report such information monthly and annually, relative to poor relief as may in the opinion of said director be necessary, and it is hereby made the duty of such officers to furnish the information required.

IV. To require accounts relative to poor relief to be kept in a uniform manner.

V. To make such rules, regulations and orders with the approval of the state board for the administration of poor relief by counties, cities and towns as said director may deem necessary to insure an economical and wise expenditure of the moneys granted by the state to counties, cities and towns under this act, and to comply with the rules and regulations of the federal government or any of its agencies relative to poor relief.

9. *Grants to Towns, Cities and Counties.* The governor and council, upon order of the director of relief approved by the comptroller, are hereby authorized and directed to make grants and reimbursements out of the state funds in the emergency relief fund herein provided for, to counties, cities and towns on account of moneys expended by them for direct relief, to the extent of fifty percent of the amount expended by said counties, cities and towns; provided that no reimbursement shall be made on account of salaries, compensation or expenses of any county, city or town official elected or appointed under this act or any existing statute or ordinance. If during any period while this act is in effect, federal funds are made available to the state for direct poor relief all such available federal moneys shall be used to reimburse counties, cities and towns for the moneys so expended for poor relief, in accordance with any regulations or conditions imposed by the federal authorities, in which event the balance of said expenditures by counties, cities and towns for poor relief shall be borne equally by the state and by the counties, cities and towns. Provided however, that the total of all grants or reimbursements out of state funds to said counties, cities and towns shall not exceed the sum provided in section 15 hereof; and provided further that the board shall have the right to reduce the percentage to be contributed by the state to the counties, cities and towns at any time during the duration of this act, when it shall appear that the funds provided in section 15 hereof will not be sufficient to make grants or reimbursements to the extent of fifty percent of the amount expended by said counties, cities and towns.

10. *Local Option.* If a majority of the qualified voters present and voting at the annual town meeting of a town, or special town meeting called for the purpose, shall vote by ballot to assume all liability for the relief of the poor of said town having a settlement therein, said town shall not be entitled to grants or reimbursements from state or federal money for poor relief, and shall not be subject to any of the provisions of this act relative to poor relief. When a town



has so voted the town clerk shall notify the board of welfare and relief of the action taken and such vote shall be in effect until rescinded at a subsequent annual town meeting, or special town meeting called for that purpose.

11. *Non-compliance with Orders.* If any county, city or town, or any officer thereof, shall fail substantially to comply with any order, rule or regulation issued by the director of relief, in accordance with the provisions of this act, grants or reimbursements shall not thereafter be made to such county, city or town, until such order, rule or regulation has been complied with. Grants or reimbursements shall not be made to any county, city or town until its indebtedness to the state incurred by any of the provisions of chapter 160 of the Laws of 1933 have been fully discharged, or provided for to the satisfaction of the governor and council.

12. *Acceptance of Funds.* The governor is hereby authorized, on behalf of the state, to accept all moneys that may be advanced to or otherwise placed at the disposal of the state by the federal government, or any of its agencies, for the purpose of caring for the poor, the distressed, and the unemployed; and may make such orders, rules and regulations relative to the disbursement of such moneys as may be necessary to comply with any terms, conditions, orders, rules or regulations as may be prescribed by the federal government or any of its agencies, or by the President of the United States.

13. *County, Town and City Assistants.* The board of county commissioners for each county, selectmen of towns or city officials in charge of relief are hereby authorized to employ such qualified agents or assistants as they may deem necessary to administer poor relief in said county, town or city. Such agents or assistants shall hold office during the pleasure of said county commissioners, selectmen or city officials and their salaries shall be fixed by said commissioners, selectmen or city officials.

14. *Appeal.* In case of any disagreement as to poor relief or the administration thereof between any county commissioner, selectman, or said city official and the state direc-



tor of relief an appeal may be taken by either party to the state board of welfare and relief for a determination of the question. The decision of said board shall be final.

15. *Notes Authorized.* In order to supply the additional funds needed for carrying out the purposes of this act relative to the state's contributions for poor relief, the state treasurer is hereby authorized, in the discretion of the governor and council, to borrow in such amounts as may be determined by the governor and council upon the credit of the state one million eight hundred thousand dollars (\$1,800,000) for the period beginning with the passage of this act and ending June 30, 1936 and one million two hundred thousand dollars (\$1,200,000) plus any unused appropriation liability, for the fiscal year ending June 30, 1937 and for that purpose may issue notes in the name of, and on behalf of, the state at the lowest rate of interest obtainable, in such form, such denominations, at such dates of maturity and at such time as the governor and council may determine. Such notes shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such notes countersigned by the governor, showing the number and amount of each note, the time of countersigning, the time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and sell such notes by direction of the governor and council in such manner as they may determine most advantageous to the state. To the extent that such notes mature at times when there is insufficient money in the special fund constituted by chapter 126 of the Laws of 1931 to pay such notes they may be extended or refunded by short time notes provided, however, that in determining the total amount authorized to be borrowed under this section no account shall be made of duplications due to extensions and/or refunding.

16. *Emergency Relief Fund.* The money received from

the sale of notes authorized by section 15 hereof shall be deposited with the state treasurer to the credit of a special fund to be known as the Emergency Relief Fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this act above; provided that any moneys remaining to the credit of such fund after the termination of the period during which this act is in force, and after all obligations against such fund have been liquidated, shall be held by the state treasurer and applied to the payment of the notes issued hereunder.

17. *Voting Rights not Affected.* While federal funds are available the receipt of unemployment relief, or of other temporary aid granted under the provisions of this act, shall not make the recipient thereof, or any member of his family, a pauper within the terms of the election laws of this state, nor affect his or their civil or political status in any way.

18. *Audit of Accounts.* No state grants or reimbursements shall be made to counties, cities or towns for poor relief under the provisions hereof until the bills or accounts showing the expenditures for poor relief by said counties, cities or towns have been submitted to or approved by the state comptroller, provided, however, that grants and reimbursements may be made subject to final audit. Said comptroller is hereby authorized to employ with the approval of the governor and council such auditors as may be necessary to inspect and audit said bills and accounts and to make such rules and regulations as may be necessary to carry out the provisions of this section. The expenses incurred by the comptroller under the provisions of this section shall be a charge upon the emergency relief fund hereinfore provided for.

19. *Taxes.* The selectmen of towns and mayors of cities are hereby authorized and shall, upon instructions from the tax commission, direct the fixing of tax rates and the assessment of taxes, so that only such amounts shall be raised for the relief of the poor of the town or city as will represent, as nearly as may be estimated, the actual amount to be contributed by the town or city for that purpose, taking into

consideration the assistance which may be given said city or town by the state or federal agencies. The county conventions shall take into account in making their appropriations for poor relief the amounts which the state and other agencies shall pay.

20. *Present Welfare Board Abolished.* After the members of the board of welfare and relief have been appointed and have qualified the terms of office of the members of the state board of welfare, established by chapter 108, Public Laws, as amended by chapter 177, Laws of 1929, shall expire and the property of the state in the custody of the welfare board shall immediately be transferred to the board hereby constituted. Any balance of appropriation heretofore made for the state board of welfare shall be available for the board hereby constituted for the use of the division of welfare.

21. *Transfer of Powers and Duties.* All powers and duties now conferred by law upon the state board of welfare shall be transferred to the board of welfare and relief hereby constituted, and all powers and duties now conferred by law upon the secretary of the state board of public welfare shall be transferred to the director of the division of welfare hereby constituted.

22. *Equipment and Supplies.* All equipment and supplies purchased under the provisions of chapter 160 of the Laws of 1933 shall be turned over to the state board of welfare and relief.

23. *Records and Essential Data.* All records and essential data pertaining to cases of relief compiled under the provisions of chapter 160 of the Laws of 1933 shall be turned over to the state board of welfare and relief for the use of the counties, towns and cities under such regulations as the board may determine.

24. *Duration of Act.* The provisions of this act shall terminate June 30, 1937, unless the legislature shall alter or amend this act prior to that date. Upon such termination the board of welfare and relief and the directors of the divisions of said department shall cease to have the powers and duties by this act conferred upon them, and the affairs of the

organization for supervision of poor relief hereby set up shall be wound up and liquidated.

25. *Expenses.* All expenses of the board of welfare and relief in the administration of this act relative to the division of relief shall be a charge upon the emergency relief funds.

26. *Working Capital.* The governor is hereby authorized to draw his warrant for any money in the treasury in the emergency relief fund for such sums to be set apart to the credit of the state treasurer as working capital as may appear to the governor and council necessary and proper for the prompt payment of bills contracted under the provisions of this act.

27. *Suspension of Laws.* Sections 1 to 6, inclusive, of chapter 108 of the Public Laws, as amended by chapters 148 and 177, Laws of 1929, and all other acts and parts of acts inconsistent herewith are hereby suspended for the duration of this act.

28. *Constitutionality.* If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

29. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,  
JOHN G. MARSTON,  
HARRY MANSON,

*Conferees on the part of the Senate.*

F. CLYDE KEEFE,  
ALLAN M. WILSON,  
LEO L. OSBORNE,  
JOSEPH B. PERLEY,  
ROBERT H. SANDERSON,

*Conferees on the part of the House.*

The report was accepted.

Mr. Keefe of Dover moved that the reading of the amendments be dispensed with.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Wilson of Manchester offered the following amendments:

Amend by adding a new section to be known as section 28 and renumbering the present section 28 to 29.

28. *Constitutionality.* If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

On motion of Mr. Sanderson of Pittsfield the report of the Committee of Conference as amended was adopted.

At 1:05 p. m. the House took a recess for 15 minutes.

(After recess)

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 65, An act relating to the superior court, and the President had appointed on the part of the Senate, Senators Cole, Calef and Bailey.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the report of the Committee of Conference on House Bill No. 296, An act relative to State board of welfare and relief.

*Resolved,* That the Clerk be instructed to have printed 2,000 copies of House Bill No. 296, An act relative to a State board of welfare and relief, and that a copy of same be mailed to each member of the House.

On motion of Mr. Keefe of Dover, business in order at 3 o'clock was made in order at the present time.

#### THIRD READING

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.



House Bill No. 133, An act relating to injunctions in labor disputes.

Read a third time and passed and sent to the Senate for concurrence.

At 1:35 o'clock the House took a recess.

(After recess)

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had found correctly engrossed the following entitled bill:

House Bill No. 296, An act relative to a State board of welfare and relief.

The report was accepted.

On motion of Mr. Stobie of Hooksett at 7:08 o'clock the House adjourned.

---

FRIDAY, MARCH 8, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk.

Bath, N. H., March 8, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

On motion of Mr. Hilliard of Tuftonboro at 9:01 o'clock the House adjourned.

---

MONDAY, MARCH 11, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., March 11, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House  
adjourned.

---

WEDNESDAY, MARCH 13, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### ADDRESS

Seth Gordon of Washington, D. C., President of the American Game Association addressed the House and Senate on game conservation development.

#### LEAVES OF ABSENCE

Mr. Marden of Holderness was granted leave of absence for the day on account of attending a funeral.

Mr. Kemp of Concord was granted leave of absence until further notice on account of illness.

#### PETITION PRESENTED AND REFERRED

By Mr. Demers of Epsom, petition of citizens of Epsom protesting against the passage of House Bill No. 181.

Presented and referred to the Committee on Liquor Laws.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 299, An act relating to the town of Richmond.

The report was accepted.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 348, An act relating to the powers of the village precinct of Hanover, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Derry for the Committee on Revision of the Statutes, to whom was referred House Bill No. 123, An act to strengthen the law relating to standard time, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Hoyt of Sandwich the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

The undersigned, a minority of the Committee on Revision of the Statutes, to whom was referred House Bill No. 123, An act to strengthen the law relating to standard time, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

HENRY J. VAN VLIET,  
L. G. LAMBERT,  
DENNIS McDONOUGH,  
FRED A. JONES,  
WM. J. FITZGERALD,  
*A Minority of the Committee.*

Mr. Hoyt of Sandwich moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and the accompanying reports be laid upon the table and made a special order for Tuesday, March 19 at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 213, An act re-

lating to the sale of certain alcoholic beverages, reported the same under joint rule 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words, "applications for permit by restaurants established and doing business before November 1st, 1934, shall be issued pursuant to the law prior to the passage of this act", where they occur in lines 17 to 20 and in lines 46 to 49.

Further amend said bill by adding after section 1 the following new section:

2. *Application of Act.* The change in the requirement in regard to the time a restaurant shall have been in business before receiving a permit provided for by the above amendment shall not affect permits heretofore issued to restaurants nor to renewals of the same.

Further amend said bill by renumbering section 2 to read section 3.

On a *viva voce* vote the amendments were adopted.

The bill was then sent to the Senate for concurrence in the amendments.

#### TAKEN FROM THE TABLE

On motion of Mr. Molloy of Nashua, House Bill No. 214, An act amending the charter of the city of Nashua, was taken from the table.

The question being on the amendments sent down from the Honorable Senate.

On a *viva voce* vote the amendments were adopted.

The bill was then sent to the Secretary of State to be engrossed.

#### BILL RECALLED

On motion of Mr. Neal of Meredith, House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester, was recalled from the Committee on Appropriations and recommitted to the Committee on Public Improvements.

## SPECIAL ORDER

Mr. Jones of Lebanon called for the special order, House Bill No. 181, An act relating to rules and regulations of the liquor laws.

The question being

Shall the report of the minority, inexpedient to legislate, be substituted for the report of the majority, that the bill ought to pass.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being.

Shall the report of the minority be substituted for the report of the majority?

On a *viva voce* vote the affirmative prevailed.

Mr. Jones of Lebanon asked for a division.

A division being taken 242 members voted in the affirmative and 109 members voted in the negative and the motion to substitute prevailed.

Mr. Clancy of Ward 5, Manchester, demanded the yeas and nays and the roll was called with the following result:

## YEAS, 241

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Fogg, Abbott of Derry, Currier, Hepworth, Pillsbury, Thayer, Benton, Cilley, Russell of Exeter, Stevenson, Carlton, Little of Hampstead, Perkins of Hampton, Janvrin, Lyford, Adams of Londonderry, Sheehy, Turcotte of Newmarket, Walker, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Abbott of Portsmouth, Eliot of Raymond, Marston of Rye, Manor, Peever, Adams of Seabrook, Floyd, Chase, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Coffin, Keenan, Chabot, Howard of Dover, Garland, Neal of Dover, Hall of Dover, Keefe, Durnin, Henderson of Durham, Gelinas of Farmington, Lefavour, Elliott of Madbury, Gotts, Emerson



of Rochester, Bergeron, Turcotte of Rochester, Dickinson, Greenfield, Seavey, Tighe, Lagueux, Hodsdon, Boucher, Deschenes, Flanagan, Robinson of Somersworth, Elson.

**BELKNAP COUNTY:** Varney, Piper of Belmont, Hunt, Page, Beane of Laconia, Guay of Laconia, Hoyt of Laconia, Merrill of Laconia, Dow, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Wallis.

**CARROLL COUNTY:** Simpson of Bartlett, Davis, Mudgett, Russell of Conway, Thompson of Effingham, Gale, Lyman, Banfield, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young.

**MERRIMACK COUNTY:** Reardon, Danforth of Bradford, Tallman, Shaw, Coakley, Matott, Robinson of Concord, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Lee, Ford, Buffum, Demers, Piper of Franklin, Bean of Franklin, Dempsey, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Colburn, Shepard, Vancore, Turgeon, Warren, Sanderson, Sanborn, Connor, Cloues, Howard of Wilmot.

**HILLSBOROUGH COUNTY:** McNamee, Putnam of Antrim, Hodgman, Chandler of Francestown, Avery, Matheson, Sym, Boynton, Craine, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Daniels of Manchester, Ward 1, Emery, Knowlton, Barnard, Bergholtz, Gage, McIntire, Maker, Howison, Wadleigh, Weston, Woods, Winslow, Woodbury, Danforth of Nashua, Moran of Nashua, Jones of Pelham, Cummings of Peterborough, Peaslee of Weare, Heald.

**CHESHIRE COUNTY:** Estabrook of Alstead, Appleton, Firmin, Clark, Kimball, Hammond, Perry of Jaffrey, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Huntley, Bullock, Rice, Perry of Swanzey, Randall, Graves, Kiniry, Britton, Read of Winchester.

**SULLIVAN COUNTY:** Hutchins, Chandler of Claremont, Daly, Etsler, Freeman of Claremont, Hosking, Quimby, Stetson, Thomas, Gaffney, Cutting, Barton, Bailey, Cummings of Newport, Downing, Farmer, Read of Plainfield, Osborne, Cram, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Remick, Graham, Bowles, Hardy, Sawyer of Franconia, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Scruggs, Hathorn, Hoyt of Lebanon, Perley, Bishop, Parker, Astle, Lewis, Magoon, Simpson of Littleton, Grant, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Smith of Berlin, Dahl, Lombard, Whitcomb, Morris, Cole, Whitcher.

#### NAYS, 126

ROCKINGHAM COUNTY: Dagan, Brackett, Pickering, Barrett, Dondero, Kittredge, Allen, Yeaton of Portsmouth, Buckley, McNeil, Harmon, Rose.

STRAFFORD COUNTY: Pomerleau, Durkin, McDonough of Dover, Tanner.

BELKNAP COUNTY: Dodge, Stafford, Cantin, Smart.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Courtemanche, Ahern, Carignan, Lemire, Lafond.

HILLSBOROUGH COUNTY: Locke of Deering, Charois, Barry of Manchester, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Betley, Clancy of Manchester, Ward 5, Creighton, Healy of Manchester, Ward 5, Mahoney of Manchester, Ward 5, O'Brien, Sweeney of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Connelly, Healy of Manchester, Ward 6, Jordan, Charland, Cote, Farrell, Gagnon, Peloquin, Turcotte of Manchester, Bernier, Bolton, Bouthiette, Gelinas of Manchester, Holleran, McDonough of Manchester, Moran of Manchester, Richard, Driscoll, Hayes, Levalle, Gaudreault, Getz, Kearns, McLaughlin, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Fowell, Francoeur, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Dugan, Dion, Maynard, Fournier, Ravenelle,

Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Molloy, Bouthillier, Desmarais, Thompson of New Ipswich.

CHESHIRE COUNTY: Chickering, Shea, Roche.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Mitchell, Jones of Lebanon, McNamara, Legassie.

COOS COUNTY: Bagley, Barden, Bell, Mason, Henderson of Berlin, Ordway, Palmer, Sullivan of Berlin, Brungot, Martel, Bixby, Dugas, Dutil, Myler, Chandler of Gorham, Willis, Marshall.

#### PAIRS

Mr. Hart of Wolfeboro voting Yes, paired with Mr. Donovan of Concord voting No.

Mr. Pierce of Bennington voting Yes, paired with Mr. Phelan of Stark voting No.

and the motion to substitute prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin building and loan association.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Organization Legalized.* The organization and incorporation of the Berlin Building and Loan Association, with principal place of business in Berlin, New Hampshire, on September 11, 1890, in accordance with Chapter 93 of the Laws of 1887, said association having as its object the accumulation of a fund to enable its members to purchase for themselves homesteads and other real estate and the loaning

of money to be used in any lawful investment by the members, is hereby legalized, ratified, and confirmed, and all business and other acts done by the said association since that date in so far as they might otherwise be deemed unauthorized and unlawful, are hereby legalized, ratified and confirmed.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Ahern of Concord, the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

The bill was read a first and second time.

On motion of Mr. Boucher of Somersworth the rules were suspended and the bill referred to a special committee consisting of the delegation from the city of Somersworth.

On motion of Mr. Keefe of Dover at 1:25 o'clock the House adjourned.

#### AFTERNOON

##### ADDRESS

Samuel M. Dick, Ph.D., of Pasadena, California, addressed the House on the Townsend Old-Age Revolving Pension Plan.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

Read a third time and passed and sent to the Senate for concurrence.

#### NOTICE OF RECONSIDERATION

Mr. Cole of Northumberland gave notice that on tomorrow or some subsequent day he would move to reconsider the action of the House whereby it voted to substitute the report of the minority for the report of the majority on House Bill No. 181, An act relating to rules and regulations of the liquor laws.

#### NOTICE OF AMENDMENT

Mr. McDonough of Dover presented the following:

As directed by Rule 50 of the Rules of the House, I am giving one day's notice of a motion that I will make Thursday, March 14th, for the amendment of Rules 42 and 50.

#### PERSONAL PRIVILEGE

Mr. Leahy of Claremont rose to a question of personal privilege and stated that today was the anniversary of the birth of two members of the House, Mrs. Bernadette E. Charois of Greenville and John J. Kearns of Manchester.

On his motion a rising vote was taken extending the felicities of the occasion.

On motion of Mr. Callahan of Keene at 3:35 o'clock the House adjourned.

---

THURSDAY, MARCH 14, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Messrs. Goodwin of Bethlehem, Danforth of Bradford and Roukey of Manchester were granted leave of absence for the day on account of important business.



Mr. Goodwin of Hudson was granted leave of absence for the remainder of the week on account of important business.

### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 58, An act legalizing and confirming the incorporation of the Berlin Building and Loan Association.

The report was accepted.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 35, An act relating to the blind, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 262, An act relating to the rights and qualifications of voters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 339, An act providing for a director of aid to the blind, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision

of the Statutes, to whom was referred House Bill No. 340, An act providing for cooperation with federal agencies for aid to the blind, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Martel of Berlin for the Committee on Towns and Counties, to whom was referred House Bill No. 302, An act relative to the perambulation of town lines, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 89, An act relating to liens upon real estate, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 183, An act providing for the litigation of small claims, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 184, An act increasing the civil jurisdiction of justices of the peace, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 155, An act to prevent the illegal collection of fees, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 342, An act relating to auctioneers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 54 (in new draft), An act defining the rights of school board members in supervisory unions, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Mudge of Northwood the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

The undersigned, a minority of the Committee on Education, to whom was referred House Bill No. 54, An act defining the rights of school board members in supervisory unions, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

WILLIAM F. MUDGE,

*A minority of the committee*

Amend by striking out all after the enacting clause and substituting therefor the following:

1. *Supervisory Union.* Amend chapter 117 of the Public Laws by adding at the end thereof the following new sections:

41. *Representation.* Every school district maintaining

one or more public schools shall be entitled to three representatives having one vote each on the joint board of supervisory union, except as herein otherwise provided. Districts not maintaining schools shall have one representative on said joint board.

42. *Additional Voting Rights.* In voting on the selection of the superintendent or on his excess salary, each Representative of each district employing more than eight full time teachers for pay shall be entitled to one-third of an additional vote for each five teachers or major part thereof regularly employed during the current year in excess of eight.

2. *Takes Effect.* This act shall take effect upon its passage.

Mr. Mudge of Northwood moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

On a *viva voce* vote the negative prevailed.

The bill was then ordered to a third reading.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Joint Resolution, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 99, Joint resolution making an appropriation for State advertising.

Amend said resolution by adding after the word "state" in the fourth line the words, planning and.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a

bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

House Bill No. 287 (in Senate new draft and new title), An act to regulate the traffic in intoxicating liquor.

#### BILL READ AND REFERRED

House Bill No. 287 (in Senate new draft and new title), An act to regulate the traffic in intoxicating liquor.

The bill was read a first and second time and referred to the Committee on Judiciary.

#### AMENDMENTS TO RULES

Agreeable to previous notice Mr. McDonough of Dover offered the following amendments:

Amend Rule 42 of the House, by striking out in the second sentence the words "and second" so that the second sentence shall read as follows. The first reading shall be by title only, after which the bill shall be referred by the Speaker to the proper standing committee and be printed as provided in Rule 46, unless otherwise ordered by the House.

Amending Rule 42, by striking out all of the third sentence and inserting in place thereof the following: No bill shall be read a second time until it has been reported by the committee to which it has been assigned and immediately after said report the bill shall be read in full and no bill shall have a second and third reading on the same day.

Amending Rule 42, by adding the following sentence. "The third reading of a bill may be by title, but on the question whether the bill shall have a third reading and on the question whether the bill shall pass; the bill as a whole shall be open to debate."

So that Rule 42 as amended shall read as follows:

Rule 42. Every bill shall have three several readings in the House previous to its passage. The first reading shall be by title only, after which the bill shall be referred by the Speaker to the proper standing committee and be printed as provided in Rule 46, unless otherwise ordered by the House. No bill shall be read a second time until it has been reported



by the committee to which it was assigned and immediately after said report the bill shall be read in full and no bill shall have a second and third reading on the same day. The time assigned for the third reading of bills and resolutions shall be three o'clock in the afternoon unless otherwise ordered by the House. The third reading of a bill may be by title, but on the question whether the bill shall have a third reading and on the question whether the bill shall pass, the bill as a whole shall be open to debate.

Amend Rule 50 of this House, by adding thereto the following: which two-thirds shall be a positive vote, silence not being sufficient, and on all votes for the suspension of the rules, the Speaker shall ask: "Is a division desired on the motion to suspend the rules?", and the yes of any one member will be sufficient to order a division. So that Rule 50, as amended shall read as follows:

Rule 50. No standing rule or order of the House shall be rescinded without one day's notice being given of the motion therefor, nor suspended unless by a vote therefor of two-thirds of the members present, which two-thirds shall be a positive vote, silence not being sufficient and on all votes for the suspension of the rules, the Speaker shall ask: "Is a division desired on the motion to suspend the rules?", and the yes of any one member will be sufficient to order a division.

The question being on the amendments.

Mr. McDonough of Dover moved that the House resolve itself into a Committee of the Whole to consider the amendments.

On a *viva voce* vote the motion did not prevail.

Mr. McDonough asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

Mr. McDonough demanded the yeas and nays.

On motion of Mr. Callahan of Keene at 11:41 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 54, An act defining the rights of school board members in supervisory unions.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 302, An act relative to the perambulation of town lines.

Severally read a third time and passed and sent to the Senate for concurrence.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 30, An act relating to banks.

Senate Bill No. 39, An act legalizing the proceedings of the March 12, 1935 election in the city of Laconia.

## SENATE BILLS READ AND REFERRED

Senate Bill No. 30, An act relating to banks.

Read a first and second time and referred to the Committee on Banks.

Senate Bill No. 39, An act legalizing the proceedings of the March 12, 1935 election in the city of Laconia.

On motion of Mr. Guay of Laconia the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

## RESOLUTION

Mr. Shea of Keene presented the following resolution.

WHEREAS, The Omnipotent Father has removed from among us Representative John E. White, a member from the fifth ward in Keene, be it

*Resolved*, That this House unites in a tribute of respect to the memory of its departed member, a loyal citizen and a kind and devoted husband and father, and be it further

*Resolved*, That this House enters upon its journal the expression of its sense of loss in the death of John E. White; that it extends its deepest sympathy to the bereaved family and that the clerk of the House transmit a copy of these resolutions to the family.

JERRY J. KEATING,  
WILLIAM J. CALLAHAN,  
JOHN F. SHEA,  
CARL D. ROCHE,  
W. E. JONES,  
CLARENCE A. WARDWELL,  
WILDER F. GATES,  
MARQUIS O. SPAULDING,  
COWLING HILTON,  
W. E. HETHERMAN.

The resolution was unanimously adopted by a rising vote.

The Speaker announced the appointment of Mr. Hilton of Keene to the Committee on Transportation in place of Mr. White, deceased.

On motion of Mr. Foss of East Kingston at 3:19 o'clock the House adjourned.

---

FRIDAY, MARCH 15, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVE OF ABSENCE

Mr. Coakley of Concord was granted leave of absence for the day on account of important business.

## PETITION PRESENTED AND REFERRED

By Mr. Mudge of Northwood, petition of citizens of Northwood protesting against the legalizing of liquor and gambling and asking a return to former moral standards.

Presented and referred to the Committee on Liquor Laws.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 4, An act to control the distribution and sale of milk.

House Bill No. 214, An act relating to the charter of the city of Nashua.

Senate Bill No. 39, An act legalizing the proceedings of the March 12, 1935 election in the city of Laconia.

The report was accepted.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 11.

Further amend by renumbering section 12 section 11.

The report was accepted and the amendments adopted.

On motion of Mr. Boynton of Hillsborough the bill was laid upon the table.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 60, Joint resolution to promote agricultural fairs, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the words "state treasurer" in line 11 and inserting in place thereof the words, commissioner of agriculture, so that said section as amended shall read as follows:

1. *Tax Declared.* There is hereby imposed an excise tax of ten cents per pound on all oleomargarine sold, offered or exposed for sale, or exchange in the state of New Hampshire, containing any fat and/or oil ingredient other than any of the following fats and/or oils: oleo oil from cattle, oleo stock from cattle, oleo stearine from cattle, neutral lard from hogs, peanut oil, corn oil, cottonseed oil, soya bean oil, or milk fat, any and all of which must be produced or originate within the United States. Such excise tax shall be in the form of a revenue stamp in such denominations as will best carry out the provisions of the law. Said stamps shall be properly safeguarded as to their manufacture, preservation and distribution and shall be in the charge of the commissioner of Agriculture.

Amend section 2 by striking out the words "state treasurer" in line 1 and inserting in place thereof the words, commissioner of Agriculture, so that said section as amended shall read as follows:

2. *Rules and Regulations.* The commissioner of Agriculture is hereby empowered to promulgate such rules and regulations as are consistent with the provisions of this act.

Amend section 3 by striking out the words "state treasurer" in line 3 and inserting in place thereof the words, commissioner of Agriculture, so that said section as amended shall read as follows:

3. *Penalty.* Any person, firm or corporation violating



any of the provisions of this act, or any of the rules or regulations promulgated by the Commissioner of Agriculture for the purpose of carrying out its provisions, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty-five (\$25.00) dollars nor more than two hundred (\$200.00) dollars, or by imprisonment not to exceed two months, or by both such fines and imprisonment.

Amend section 4 by striking out the words "state treasurer" in lines 2 and 4 and inserting in place thereof the words, commissioner of agriculture so that said section as amended shall read as follows:

4. *Receipts.* All moneys derived from the sale of revenue stamps hereunder shall be paid by the commissioner of Agriculture into the State Treasury. There is hereby appropriated from the State Treasury the sum of fifty (\$50.00) dollars, which shall be available upon order of the commissioner of Agriculture, to pay the cost of printing the necessary stamps provided for in this act.

The report was accepted.

On motion of Mr. Sturtevant of Concord the bill with the accompanying amendments were laid upon the table.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 356, An act authorizing the sale of certain property of the State, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 275 (in new draft), An act relating to the practice of pharmacy and the sale of drugs, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Van Vliet of Manchester the bill was laid upon the table.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 281 (in new draft and with new title), An act requiring toilet facilities in restau-

rants and other public eating places, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Mudge of Northwood moved that the bill be laid upon the table.

On a *viva voce* vote the negative prevailed.

The bill was then ordered to a third reading.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 318, An act relating to the buying or selling of poultry to be used for food, reported the same in a new draft and with a new title, with the recommendation that the bill in its new draft and with its new title ought to pass.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 363, An act relating to unemployment in the city of Berlin and in the county of Coos, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 4 (in new draft), An act to control the distribution and sale of milk.

House Bill No. 109, An act relating to the sale of liquor.

House Bill No. 134, An act relating to the practice of dentistry.

House Bill No. 252, An act relating to service of process upon dealers in securities.

House Bill No. 309, An act relative to bridges on State-aided highways.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 213, An act relating to the sale of certain alcoholic beverages.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 149, An act having reference to personal property in unorganized places.

Amend the bill by inserting after the word, resides in line 3 of section 6 the following, if the same has not already been taxed or was not taxed as real estate before severance so that said section as amended shall read as follows:

6. *In Unorganized Place.* Personal property being on April first in any unorganized town or place, may be taxed to the owner in the town or place where he resides if the same has not already been taxed or was not taxed as real estate before severance.

Further amend the bill by adding a new section as follows:

8. This act shall take effect upon its passage.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws.

Amend the joint resolution by striking out the word "seven" in the third line and inserting in place thereof the word five; so that said joint resolution as amended shall read as follows:

That the Governor, with advice and consent of the Council, is hereby authorized and directed to appoint five persons to constitute a committee to study the problem of the revision of the public utility laws of this State, and other laws affecting the powers and jurisdiction of the Public Service Commission. Said committee shall report its findings and recommendations as to the expediency of making changes in said laws to the next regular session of the legislature, provided, however, that any recommendations of this committee may be submitted to this session of the legislature. The members of said committee shall serve without compensation but shall be allowed their actual expenses while engaged in the work of said committee to be approved by the Governor and Council. For the purposes of carrying into effect the provisions hereof the sum of not exceeding fifteen hundred dollars (\$1,500) is hereby appropriated and the Governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate refuses to concur with the House of Representatives in the passage

of the following entitled bill, sent up from the House of Representatives:

House Bill No. 256, An act relative to brands for bottles and other containers.

#### RESOLUTION

By Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet Monday evening at 7:30 o'clock.

#### ORDER VACATED

On motion of Mr. Wilson of Manchester the order whereby House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth was referred to the Committee on Judiciary was vacated and the bill referred to a special committee consisting of the delegation from the city of Portsmouth.

On motion of Mr. Shaw of Chichester business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Shaw of Chichester the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 281 (in new draft and new title), An act requiring toilet facilities in restaurants and other public eating places.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Kearns of Manchester at 11:44 o'clock the House adjourned.



MONDAY, MARCH 18, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., March 18, 1935.

Mr. Harry A. Goodwin,  
Bethlehem, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Hoyt of Sandwich at 7:31 o'clock the  
House adjourned.

---

TUESDAY, MARCH 19, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Letendre of Nashua was granted leave of absence for  
the day on account of illness.

COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed  
Bills reported that the committee had examined and found  
correctly engrossed the following entitled bills and joint  
resolutions:

House Bill No. 109, An act relating to the sale of liquor.

House Bill No. 134, An act relating to the practice of  
dentistry.

House Bill No. 213, An act relating to sale of certain alco-  
holic beverages.

House Bill No. 252, An act relating to service of process  
upon dealers in securities.

House Bill No. 309, An act relative to bridges on state-  
aided highways.

House Joint Resolution No. 4, Joint resolution to establish a committee to study the problem of the revision of public utility laws.

House Joint Resolution No. 99, Joint resolution making an appropriation for state advertising.

The report was accepted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred Senate Bill No. 28, An act relative to keeping liquor for sale, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 26, An act relating to the sale of liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 26, An act relating to the sale of liquor, being unable to agree with the majority, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

CHARLES P. COAKLEY,  
WILLIAM B. CONNOR,  
ARTHUR W. SAWYER,

*A minority of the Committee.*

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Sunday Sales.* Amend section 12 of chapter 3 of the Laws of the Special Session of 1934, as amended by an act approved February 28, 1935, by adding after the figure "23" the words, provided that persons holding licenses under the provisions of section 19 when making sales of beverages on Sundays or election days shall only sell to bona fide guests with meals in the dining room or in the rooms of the guests, so that said section as amended shall read as follows: 12.

*Rules and Regulations.* Said commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions of this act, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days except by persons holding licenses under the provisions of sections 19, 21, 22 and 23 provided that persons holding licenses under the provisions of section 19 when making sales of beverages on Sundays or election days shall only sell to bona fide guests with meals in the dining room or in the rooms of the guests. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end or that are more than forty-two inches high are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the commission.

Mr. Coakley moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Coakley.

(Discussion ensued)

On a *viva voce* vote the chair was in doubt.

Mr. Coakley asked for a division.

A division being taken 190 members voted in the affirmative and 70 members voted in the negative and the report of the minority was substituted for the report of the majority.

The question being on the amendment reported by the committee.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

On motion of Mr. Coakley of Concord the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 136, An act establishing a commission to raise additional revenue for the

state and the cities and towns thereof, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 136, An act establishing a commission to raise additional revenue for the state and the cities and towns thereof, being unable to agree with the majority, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

WILLIAM J. CALLAHAN,  
ALBERT G. PALMER,  
CARL H. ROCHE,  
WILLIAM C. TALLMAN,  
HENRY F. DAGAN,  
WILLIAM J. BOOTH,

*A minority of the Committee.*

Amend title by striking out the words "the state and the" and "thereof" so that said title as amended shall read: An act establishing a commission to raise additional revenue for cities and towns.

Amend section 1 by striking out the words "commonwealth and the" and "thereof" in lines 3 and 4; further amend by adding at the end of said section the words, for the purpose of old age assistance, so that said section as amended shall read as follows: 1. There is hereby established in the department of the state treasurer, but in no manner subject to his control, a commission to raise money for the benefit of the cities and towns for the purpose of old age assistance.

Amend section 3 by adding after the words "United States" in line 10 the words, and a resident of the state of New Hampshire, so that said section as amended shall read as follows: 3. The commission may conduct a state lottery once each month under such plan as may be approved by the governor and council. Fifty per cent of the receipts from such state lottery shall be expended by the commission for prizes and fifty per cent thereof shall be distributed to the cities and

towns of the state as hereinafter provided after deducting therefrom the expenses and commissions incurred by the commission in the conduct of such lottery. The commission may employ such agents as it may deem necessary in carrying out the purposes of this act. No persons, except citizens of the United States and a resident of the state of New Hampshire shall be so employed.

Amend section 4 by striking out the word "special" in line 3 and inserting in its place the word, regular, so that said section as amended shall read as follows: 4. In any city or town the question of authorizing the conduct of lotteries therein shall be submitted to the voters at a regular election, if a petition to that effect signed by not less than one per cent of the voters, is filed with the city or town clerk not less than thirty days before the election. If, upon such submission, a majority of the voters voting thereon vote against authorizing the conduct of state lotteries, no lotteries shall be conducted in that city or town.

Amend section 5 by striking out the whole thereof and inserting in its place the following:

5. The state treasurer shall annually, on or before November first, distribute to the several cities and towns, for the purpose of the old age assistance, except those which have voted as aforesaid against authorizing the conduct of lotteries therein, in proportion to the amounts collected in such cities and towns in that year, one half of the receipts from such state lotteries after deducting expenses as provided by section three.

Mr. Callahan of Keene moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Mr. O'Brien of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.



On a *viva voce* vote the motion to substitute did not prevail.

Mr. O'Brien of Manchester asked for a division.

A division being taken 153 members voted in the affirmative and 187 members voted in the negative and the motion to substitute did not prevail.

Mr. O'Brien of Manchester demanded the yeas and nays and the roll was called with the following result:

YEAS, 169

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Fogg, Thayer, Stevenson, Sheehy, Pickering, Barrett, Dondero, Kittredge, Yeaton of Portsmouth, Buckley, Harmon, Abbott of Portsmouth, Rose, Eliot of Raymond, Marston of Rye.

STRAFFORD COUNTY: Locke of Barrington, Keenan, Pomerleau, Chabot, Durkin, Howard of Dover, Keefe, McDonough of Dover, Durnin, Tanner, Gotts, Brennan, Cartier, Turcotte of Rochester, Lagueux, Hodsdon, Deschenes, Flanagan, Robinson of Somersworth.

BELKNAP COUNTY: Varney, Beane of Laconia, Dodge, Guay, Alfred L., Laconia, Carroll, Stafford, Cantin, Dow, Smart.

CARROLL COUNTY: Lyman.

MERRIMACK COUNTY: Courtemanche, Danforth of Bradford, Tallman, Coakley, Matott, Robinson of Concord, Kemp, Mansur, Ahern, Donovan, Demers, Carignan, Lemire, Bean of Franklin, Lafond, Turgeon, Warren, Sanderson, Sanborn.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Charois, Bergholtz, Graf, McIntire, Barry of Manchester, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Betley, Clancy of Manchester, Ward 5, Creighton, Healy of Manchester, Ward 5, O'Brien, Booth, Clancy of Manchester, Ward 6, Connelly, Jordan, Sullivan of Manchester, Charland, Cote, Farrell, Peloquin, Turcotte of Manchester, Bouthiette, Gelinat of Manchester, Moran of Manchester, Driscoll, Hayes, Levallee, Gaudreault, Mc-

Laughlin, Roukey, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Ladouceur, Lambert, Lariviere, Barnes, Woods, Bernard, Boilard, Barry of Nashua, Dugan, Dion, Maynard, Moran of Nashua, Ravenelle, Hough, Lavigne, Burke, Cormier, Glynn, Molloy, Bouthillier, Desmarais, Jones of Pelham, Mercer.

CHESHIRE COUNTY: Hammond, Callahan, Hetherman, Keating, Shea, Roche, Huntley.

SULLIVAN COUNTY: Thomas, Reney, Barton, Emerson of Washington.

GRAFTON COUNTY: Yeaton, Graham, Hardy, Hoyt of Lebanon, Jones of Lebanon, Millen, Perley, Legassie, Burgault.

COOS COUNTY: Bagley, Barden, Smith of Berlin, Palmer, Sullivan of Berlin, Brungot, Dahl, Martel, Bixby, Dugas, Myler, Gray, Willis, Cole, Judd.

## NAYS, 194

ROCKINGHAM COUNTY: Abbott of Derry, Currier, Hepworth, Pillsbury, Foss, Benton, Cilley, Russell of Exeter, Brackett, Little of Hampstead, Perkins of Hampton, Janvrin, Lyford, Adams of Londonderry, Turcotte of Newmarket, Walker, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Allen, Pray, Tucker, Manor, Adams of Seabrook, Floyd, Chase, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Garland, Neal of Dover, Hall of Dover, Henderson of Durham, Gelinas of Farmington, Lefavour, Elliott of Madbury, Emerson of Rochester, Bergeron, Dickinson, Greenfield, Seavey, Tighe, Elson.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Hunt, Page, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Wallis.

CARROLL COUNTY: Davis, Mudgett, Russell of Conway, Gale, Banfield, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Shaw, Blood,

Boutwell, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Lee, Ford, Buffum, Dempsey, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Colburn, Vancore, Perkins of Pittsfield, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Locke of Deering, Chandler of Francestown, Boynton, Craine, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Gage, Van Vliet, Maker, Howison, Wadleigh, Weston, Bastow, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Appleton, Firmin, Hanson, Clark, Kimball, Perry of Jaffrey, Jones of Keene, Gates, Spaulding, Wardwell, Wiswall, Bullock, Rice, Perry of Swanzeey, Randall, Graves, Kiniry, Britton, Horner, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Etsler, Freeman of Claremont, Johnson, Cutting, Bailey, Cummings of Newport, Read of Plainfield, Osborne, Cram.

GRAFTON COUNTY: Goodwin of Bethlehem, Remick, Mitchell, Bowles, Sawyer of Franconia, Williams, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Scruggs, Marden, Hathorn, Bishop, Parker, Astle, Lewis, Magoon, Simpson of Littleton, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Mason, Ordway, Lombard, Ramsay, Stiles, Chandler of Gorham, Morris, Thompson of Lancaster, Hancock, Marshall, Fuller of Stratford, Whiteher.

and the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Rose of Portsmouth for the special committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 80, An act to amend the charter

of the city of Portsmouth, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the whole thereof and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect after a referendum vote of a majority of the voters of the city of Portsmouth at the next regular election.

The report was accepted.

The undersigned, a minority of the special committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 80, An act to amend the charter of the city of Portsmouth, having considered the same and being unable to agree with the majority report the same with the recommendation that the bill ought to pass.

TIMOTHY J. BUCKLEY,  
PATRICK J. KITTREDGE,  
MARY C. DONDERO,  
ANDREW J. BARRETT,  
JAMES R. McNEIL,  
*A minority of the Committee.*

Mrs. Dondero of Portsmouth moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. McNeil of Portsmouth asked for a division.

A division being taken 113 members voted in the affirmative and 184 members voted in the negative and the motion to substitute did not prevail.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Pray of Portsmouth the rules were sus-

pended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### SPECIAL ORDER

Mr. Hoyt of Sandwich called for the special order House Bill No. 123, An act to strengthen the law relating to standard time.

The question being, Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate.

(Discussion ensued)

Mr. Saltmarsh of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the report of the minority be substituted for the report of the majority.

On a *viva voce* vote the Chair was in doubt.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 188 members voted in the affirmative and 100 members voted in the negative and the motion to substitute prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Henderson of Durham at 1:10 o'clock the House took a recess until 2:55 o'clock.

(After recess)

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate requested that the House of Representatives return to the Senate for further consideration Senate Bill No. 30, An act relating to banks.

On motion of Mr. Emery of Manchester the request was granted.



## USE OF HALL

The following request was read by the Speaker:

Honorable Amos Blandin

Speaker of House of Representatives

State House, Concord

*Dear Sir:*

The New Hampshire Conference of Social Work are holding their annual meeting on Tuesday, March 26th and are desirous of using the Representatives Hall for the evening of the above mentioned date, starting at 6:30 p. m.

Would you kindly make arrangements for the New Hampshire Conference of Social Work to have the Hall?

Very truly yours,

J. H. CORLISS,

*Acting Director.*

On a *viva voce* vote the request was granted.

## TAKEN FROM THE TABLE

On motion of Mr. Sanderson of Pittsfield, House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of sizes, was taken from the table.

On motion of the same member the bill was laid upon the table and made a special order for Wednesday, March 20, at 11:01 o'clock.

On motion of Mr. Sanderson of Pittsfield, House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats was taken from the table.

On motion of the same member the bill was laid upon the table and made a special order for Wednesday, March 20, at 11:02 o'clock.

On motion of Mr. Van Vliet of Manchester House Bill No. 275 (in new draft), An act relating to the practice of pharmacy and the sale of drugs was taken from the table.

On motion of the same member the bill was laid upon the table and made a special order for Wednesday, March 20, at 11:03 o'clock.

On motion of Mr. Sanderson of Pittsfield, House Bill No. 111, An act in relation to tax collectors, was taken from the table.

On motion of the same member the bill was laid upon the table and made a special order for Wednesday, March 20, at 11:04 o'clock.

#### NOTICE OF RECONSIDERATION

Mr. Van Vliet of Manchester gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House adopted the resolution of the Committee on Ways and Means that it is inexpedient to legislate on House Bill No. 136, An act establishing a commission to raise additional revenue for the State and the cities and towns thereof.

Mr. Mitchell of Campton moved that the House reconsider its vote at the present time.

Mr. Callahan of Keene moved that the motion be laid upon the table but subsequently withdrew his motion.

The question being on the motion of Mr. Mitchell.

On a *viva voce* vote the negative appeared to prevail.

Mr. Mitchell of Campton called for a division.

Before taking a division the Speaker called for another *viva voce* vote.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Callahan of Keene moved that the House adjourn.

On a *viva voce* vote the negative prevailed.

Mr. Van Vliet of Manchester moved that the motion to reconsider be laid upon the table and made a special order for Tuesday, March 26, at 11:01 o'clock.

On a *viva voce* vote the negative prevailed.

The Speaker ruled that no further motion to reconsider was in order.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed a bill with the following

title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 30, An act relating to banks.

SENATE BILL READ AND REFERRED

Senate Bill No. 30, An act relating to banks.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Banks.

On motion of Mr. Wadleigh of Milford at 3:39 o'clock the House adjourned.

AFTERNOON

The House was immediately called to order in afternoon session.

THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

Senate Bill No. 28, An act relative to keeping liquor for sale.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 123, An act relative to strengthen the law relating to standard time.

Read a third time.

The question being.

Shall the bill pass?

Mr. Molloy of Nashua moved that the bill be indefinitely postponed.

(Discussion ensued)

Mr. Ahern of Concord asked for a division.

A division being taken 119 members voted in the affirmative and 172 members voted in the negative and the motion to indefinitely postpone did not prevail.

The question being.

Shall the bill pass?

(Discussion ensued)

Mr. Keefe of Dover moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the bill pass?

On a *viva voce* vote the Chair was in doubt.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 176 members voted in the affirmative and 99 members voted in the negative and less than two thirds of the members elected being present and voting and less than two thirds of those voting having voted in either the affirmative or negative no valid action was taken and the bill went over into unfinished business.

On motion of Mr. Ahern of Concord at 4:06 o'clock the House adjourned.

---

WEDNESDAY, MARCH 20, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Lavigne of Nashua was granted leave of absence for the day on account of important business.

Mr. Letendre of Nashua was granted leave of absence for the rest of the week on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 149, An act having reference to personal property in unorganized places, reported the same under rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Taxation of Personal Property.* Amend section 6 of chapter 61 of the Public Laws by adding at the end of said section the following: if the same has not already been taxed

or was not taxed as real estate before severance, so that said section as amended shall read as follows: 6. *In Unorganized Place.* Personal property being on April first in any unorganized place, the owner of which resides in an organized town or place, may be taxed to the owner in the town or place where he resides, if the same has not already been taxed or was not taxed as real estate before severance.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill sent to the Senate for concurrence in the amendment.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 287 (In Senate New Draft and New Title), An act in amendment of chapter 3, Laws Special Session 1934 entitled "An act to regulate the traffic in intoxicating liquor," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 324, An act providing for a special fund for maintenance of public waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 29, An act relating to the operation of motor vehicles while under the influence of intoxicating liquor, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 61, An act relative to the revocation and suspension of motor vehicle licenses and registrations, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.



The report was accepted and the resolution of the committee adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 129, An act to prohibit the parking of motor vehicles on public highways without lights, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 179, An act to regulate speed of motor vehicles upon the highway, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 188, An act relative to issuance to minors of licenses to operate motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 240, An act relating to motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 317, An act relating to licensing movie pictures and other shows, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Howison of Milford for the Committee on Trans-

portation, to whom was referred House Bill No. 221, An act relating to transportation of members of the Legislature, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "distance" in line six the word actually and by striking out in lines seven, eight and nine the words "and state officers during their respective terms of office shall receive travel expense at the same rate." so that said section as amended shall read as follows:

1. Amend section 14, chapter 251 of the Public Laws by striking out the whole of said section and inserting in its place the following: 14. All of the members, officers and employees of the General Court shall receive for transportation to and from their homes at each regular and special session of the General Court the sum of six cents per mile for the distance actually traveled by the most direct highway.

Amend section 3 by striking out the whole of said section and inserting in place thereof the following:

3. Amend section 16, chapter 251 of the Public Laws by striking out the whole of said section and inserting in place thereof the following:

16. —, *Effect*. Such payment for the transportation of all of the members, officers and employees of the General Court shall be in full discharge of the state for all transportation expenses of such officers.

Amend section 6 by striking out the whole section and substituting therefor the following:

6. *Takes Effect*. This act shall take effect upon its passage and shall be considered retroactive so far as it applies to the mileage for the present session.

The report was accepted, the amendments adopted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 245, An act relating to transportation of the General Court, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 111, Joint resolution to compensate unseated members, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 23, An act to amend chapter 382 of the Public Laws entitled Cruelty to Animals, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the whole thereof and substituting in place thereof the following: An act relating to cruelty to animals.

Amend section 1 by striking out the whole of said section and substituting in place therefor the following:

1. Amend chapter 382 of the Public Laws by adding at the end thereof a new section as follows: 16. All fines imposed by virtue of the provisions of this chapter may, at the discretion of the court, be remitted for the use of such society, incorporated for the purpose of preventing cruelty to animals, as shall have caused the prosecution to be instituted.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Joint Resolution No. 3, Joint resolution limiting the number of persons in one household who may be employed in any state depart-

ment or in any state institution, reported the same in a new draft with the recommendation that the joint resolution in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 62, An act relating to compensation of trustees of trust funds, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out in line one the words and figures "Five hundred twelve and 55/100 dollars" and substituting therefor the words and figures: three hundred fifty and 5/100 dollars (\$350.05) so that said resolution as amended shall read as follows:

That the sum of three hundred fifty and 5/100 dollars (\$350.05) be allowed and paid to Paul Dumont of Stratford, in the County of Coos, said state for compensation, hospital and doctor bills, arising from injuries sustained by him while working on the State highway in the town of Stratford on or about the fourteenth day of June, 1933; and said sum shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 138, An act relating to choice, qualification of supervisors of the check list and check lists, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 154, An act relating to overseers of the poor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 246, An act relating to exemption from trustee process, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. McDonough of Dover the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

The undersigned, a minority of the Committee on Revision of the Statutes, to whom was referred House Bill No. 246, An act relating to exemption from trustee process, being unable to agree with the majority reported the same with the recommendation that the bill ought to pass.

DENNIS M. McDONOUGH,  
FRED A. JONES,  
H. C. SULLIVAN,  
LUCIEN G. LAMBERT,  
HENRY J. VAN VLIET,  
ERNEST E. LEFAVOUR,

*A minority of the Committee.*

Mr. McDonough of Dover moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. McDonough of Dover moved the previous question.



The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the negative prevailed.

Mr. McDonough of Dover asked for a division.

A division being taken 112 members voted in the affirmative and 205 members voted in the negative and the motion to substitute did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 219, An act relating to lines of telegraph and other companies in highways, reported the same in a new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Hodsdon of Somersworth for the special committee consisting of the delegation from the city of Somersworth to whom was referred Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ahern of Concord offered the following resolution:

*Resolved*, That the Committee of Conference to whom was referred House Bill No. 65, An act relating to the Superior Court, having considered the same and being unable to agree, be discharged.

WILLIAM M. COLE,  
CLARENCE L. BAILEY,  
AUSTIN L. CALEF,

*Conferees on the part of the Senate.*

WILLIAM J. CALLAHAN,  
L. E. MITCHELL,  
WILLIAM J. AHERN,  
JOHN J. KEARNS,  
ALBERT D. LEAHY,

*Conferees on the part of the House.*

Mr. Callahan of Concord stated his position regarding the disagreement.

On a *viva voce* vote the resolution was adopted.

Mr. Molloy of Nashua moved that the Committee of Conference to be appointed be instructed to adhere to the position taken by the House regarding the bill.

The question being on the motion of Mr. Molloy.

(Discussion ensued)

Mr. Lambert of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Molloy.

On a *viva voce* vote the negative prevailed.

#### UNFINISHED BUSINESS

Mr. Hoyt of Sandwich called for the unfinished business House Bill No. 123, An act to strengthen the law relating to standard time.

The question being shall the bill pass?

Mr. Hoyt asked for a division.

A division being taken 203 members voted in the affirmative and 116 members voted in the negative and the bill was passed and sent to the Senate for concurrence.

#### SPECIAL ORDER

Mr. Sanderson of Pittsfield called for the special order House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

The question being shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Sanderson of Pittsfield called for the special order House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

The question being on the amendment submitted by the Committee on Ways and Means.

On a *viva voce* vote the amendment was adopted.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Sanderson called for the special order House Bill No. 275, An act relating to the practice of pharmacy and the sale of drugs.

The question being

Shall the bill be read a third time?

Mr. Beane of Laconia moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Beane.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. Carroll of Laconia asked for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

Mr. Sanderson of Pittsfield called for the special order House Bill No. 111, An act in relation to tax collectors.

The question being on the amendment sent down from the Honorable Senate.

Mr. Keefe of Dover moved that the House nonconcur and asked for a Committee of Conference.

On a *viva voce* vote the affirmative prevailed.

The speaker appointed as conferees on the part of the House Messrs. Neal of Meredith, O'Reilly of Manchester, Vancore of Northfield, Fogg of Deerfield, and Wiswall of Marlborough.

(Mr. Ahern of Concord in the Chair)

#### RESOLUTION

Mr. Daniel of Manchester offered the following resolution:

WHEREAS, There is now pending in Congress in Washington, D. C., a bill which if enacted into law, would allow World

War Veterans to receive the face value in cash of their Adjusted Service Certificates; and

WHEREAS, The immediate cash payment of these Adjusted Service Certificates will increase tremendously the purchasing power of thousands of the consuming public distributed uniformly throughout the state, and will provide relief for the veterans, many of whom are in dire need and in distress because of the present unfortunate economic conditions, and will enlighten immeasurably the burden which the cities, counties, and state are now required to care for on relief; and

WHEREAS, The cash payment of these certificates would mean the distribution in the State of New Hampshire of \$7,298,000.00;

*Therefore be it resolved* By the House of Representatives that it request our Congressmen to work and vote for the immediate passage of the Vinson Adjusted Compensation Bill, known as H. R. 3896.

The question being on the resolution.

Mr. Cilley of Exeter moved that the House adjourn.

Mr. Stevenson of Exeter demanded the yeas and nays but subsequently withdrew his demand.

Mr. Cilley withdrew his motion.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

Mr. Stevenson demanded the yeas and nays but subsequently withdrew his demand.

On motion of Mr. Stevenson the resolution was laid upon the table and made a special order for Thursday, March 21 at 11:01 o'clock.

(The Speaker in the Chair)

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 312, An act legalizing the election in the town of Carroll.

House Bill No. 363, An act relating to unemployment in the city of Berlin and in the county of Coos.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 187, An act providing for a lunch period for women and minors.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 50, An act relating to nuisances.

Amend section 2 of said bill by striking out after the word "words", the words, no privy or other device for wastes disposal, and substituting in place thereof the words, no privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, so that said section as amended shall read as follows:

2. Amend section 10 of said Chapter 140 by striking out therefrom in the first line the words: no house of easement or privy, and substituting therefor the words: no privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, so that said section as amended shall read: 10. *Nuisances When.* No privy, toilet, sinkdrain, cesspool, septic tank, or the discharges therefrom, and no pen or sty for swine, shall be erected or continued in such place or condition as, in the judgment of the health officers, to be a nuisance or injurious to the public health.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.



House Bill No. 288, An act relating to wages.

Amend the bill by inserting after the word, work, in line 7 the following, together with a full explanation of any plan by which said compensation may be affected.

And further amend said section by striking out after the word, begun in line 7 the following, and from the amount so stated, there shall be no deductions for waste or spoilage caused in the ordinary process of production, so that said section as amended shall read as follows:

1. Every person, firm or corporation engaged in the business of manufacturing, mining, quarrying or stone-cutting, or in a mercantile, railroad, telegraph, telephone, express or aqueduct business and every municipal corporation shall inform their employees or prospective employees the amount of pay, whether by hour, piece, percentage or job rate, they are to receive for work, together with a full explanation of any plan by which said compensation may be affected, before the work is begun.

Further amend the bill by striking out in line 12 after the word, effect, the words, upon its, and inserting in place thereof the words, thirty days after, so that said section as amended shall read as follows:

This act shall take effect thirty days after passage.

On motion of Mr. Brouillette of Manchester the House refused to concur and asked for a Committee of Conference.

The Speaker named as such committee on the part of the House Messrs. Brouillette of Manchester, Callahan of Keene, Parker of Lisbon, Molloy of Nashua, and Ahern of Concord.

On motion of Mr. Wilson of Manchester at 12:55 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 23, An act relating to cruelty to animals.

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 287, In Senate new draft and new title, An act entitled An act to regulate the traffic in intoxicating liquor.

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

#### UNFINISHED BUSINESS

Mr. Bagley of Berlin called for the unfinished business House Bill No. 34, An act to regulate the practice of barbering.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass in new draft.

Mr. Bagley of Berlin moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Bagley.

(Discussion ensued)

Mr. Bagley withdrew his motion.

On motion of Mr. Wilson of Manchester the bill was laid upon the table and made a special order for Tuesday, March 26, at 11:02 o'clock.

#### COMMITTEE APPOINTMENT

The Speaker appointed the following committee of conference on House Bill No. 65, An act relating to superior court, Messrs. Lombard of Colebrook, Lewis of Littleton, Tobin of Manchester, Allen of Portsmouth and Manor of Salem.

On motion of Mr. Whiteher of Whitefield at 3:19 o'clock the House adjourned.

---

THURSDAY, MARCH 21, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Messrs. Molloy of Nashua and Roukey of Manchester were granted leave of absence for the day on account of illness.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 312, An act legalizing the November election in the town of Carroll.

House Bill No. 363, An act relating to unemployment in the city of Berlin and in the county of Coos.

The report was accepted.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred Senate Bill No. 30, An act relating to banks, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 48, An act relative to the rights of political parties, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 143, An act relating to municipal finances, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Woodbury of Nashua for the Committee on National Affairs, to whom was referred House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 83, An act relating to Cornish toll bridge, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Purchase Authorized.* The governor with advice and consent of the council is hereby authorized and empowered to purchase for the state a certain toll bridge with approaches and appurtenances and the franchise for the same, known as the Cornish toll bridge, spanning the Connecticut river, if the same can be purchased for a sum not exceeding twenty thousand dollars.

2. *Appropriation.* A sum of not exceeding twenty thousand dollars (\$20,000) is hereby appropriated for the purpose of the acquisition of said toll bridge as provided in section 1. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. *Tolls.* There shall be collected for the use of said Cornish toll bridge and the approaches thereto if the same

are acquired by the state such charges or tolls as the governor and council shall deem reasonable from the travelers thereon. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account designated by the name of the bridge and the operating expenses and the maintenance of said bridge shall be paid from these funds. The balance remaining after payment of the operating expenses and the maintenance shall be turned into the general fund of the state upon warrant of the governor with approval of the council at such time or times as he may designate. Toll collections shall continue until the general funds of the state have been reimbursed from said special fund to an amount equal to the purchase price of the bridge at which time the governor and council shall order cessation of tolls.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution



No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Im-

provements, to whom was referred House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 44, Joint resolution for the improvement of the main or Stage road, so called, from Northwood line to Lee line in the town of Nottingham, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Bill No. 274, An act authorizing the laying out of a state highway in the city of Rochester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 38, Joint

resolution in favor of Rev. Henry C. Stallard of Berlin, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 215, An act relating to school teachers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution offered by the committee.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 27, An act relative to the settlement of paupers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 99, An act relating to reflectors on motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 102, An act relative to athletic exhibitions, abolishing the State Athletic Commission, and appointing a State Athletic Commissioner, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cote of Manchester for the Committee on Judiciary.

to whom was referred House Bill No. 110, An act relating to firewards, firemen and fire hazards, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 207, An act relating to the purity of elections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 264, An act relating to operation of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 157, An act relative to the number of state liquor stores to be operated by the state liquor commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Bill No. 55, An act providing for the maintenance of the bridge over the Connecticut river from Dalton, New Hampshire to Lunenburg, Vermont, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Whitcomb of Dalton the bill was re-committed to the Committee on Public Improvements.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Bill No. 63, An act relating to the construction and maintenance of a through line of highway in the towns of Lyme, Hanover and Canaan, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 95, Joint resolution for the improvement of the South road, so-called, in the town of Brentwood, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 2, Joint resolution for improvement of Island pond road in Derry, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 357, An act relating to lotteries, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 357, An act relating to lotteries, being unable to agree with the majority, reported the same with following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM WESTON,  
DIXON F. VANCORE,

*A minority of the Committee.*

Mr. Weston of Milford moved that the report of the minority be substituted for the report of the majority and with



that motion pending the bill and accompanying reports were laid upon the table and made a special order for Tuesday, March 26, at 11:01 a. m.

#### RESOLUTION

By Mr. Lee of Concord.

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourns to meet on Monday evening at 7:30 o'clock.

#### COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 364, An act to insist on reducing unemployment by facilitating the condemnation of land necessary for public works projects, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

(Mr. Cummings of Peterborough in the Chair)

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 365, An act relating to deposits of cash by savings banks, with the recommendation that the bill be referred to the Committee on Banks.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Banks.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 367, An act relating to compensation of attaches of the Senate and House of Representatives, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 368, An act to change the name of Silver lake in the town of Madison to Lake Madison, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time.

On motion of Keefe of Dover the rules were suspended and the printing of the bill dispensed with and the bill referred to the Committee on the Revision of the Statutes.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 369, An act relating to exemption from taxation of property owned by the blind, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 370, An act relating to chain stores, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 371, An act relating to observance of the Lord's Day, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 372, An act laying out a highway on Kearsarge mountain, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 373, An act in relation to emergency public works, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended and the printing and reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill was made in order for a third reading and final passage at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 375, An act relative to paroled prisoners, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 376, An act relative to commitment to the State hospital, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 377, An act relating to the New Hampshire State employment service, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 378, An act in relation to tax collectors, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 380, An act

defining the powers of the village district of Hampton beach, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

Mr. Cilley of Exeter moved that the rules be suspended and the bill be referred to a special committee consisting of the delegation from the county of Rockingham.

The question being on the motion.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Sullivan of Berlin called for a division but subsequently withdrew his request.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 381, An act relating to wholesalers of beer, with the recommendation that the bill be referred to the Committee on Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Liquor Laws.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 382, An act relating to teachers, with the recommendation that the bill be referred to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Education.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Wilson of Manchester for the Committee on Rules,



reported the following joint resolution, House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Blandin of Bath for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 135, Joint resolution in favor of Augustus S. Burke and others, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 136, Joint resolution in favor of Harry W. Benedict, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others, with the recommendation that the joint resolution be referred to the Committee on Judiciary.

The report was accepted, the joint resolution read a first

and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 138, Joint resolution to provide additional allowance for traveling expenses of the Governor, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriations.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 139, Joint resolution in favor of Ernest W. Morgan, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the joint resolution dispensed with.

The resolution was referred to the Committee on Claims.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 140, Joint resolution in favor of Leroy H. Locke, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the joint resolution dispensed with.

The resolution was referred to the Committee on Claims.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 141, Joint resolution in favor of Ernest E. Whitcomb, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the joint resolution dispensed with.

The resolution was referred to the Committee on Claims.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 142, Joint resolution in favor of the State Planning and Development Commission, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time.

On motion of Mr. Callahan of Keene the rules were suspended and the printing of the bill and its reference to a committee dispensed with and the resolution was made in order for a third reading and final passage at the present time.

The resolution was read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Mitchell of Campton the rules were suspended to allow of the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton March 12, 1935, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time.

On motion of Mr. Mitchell of Campton the rules were suspended and the printing and reference to a committee dis-

pensed with and the bill was made in order for a third reading by title, and final passage at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Joint Resolution pertaining to so-called Townsend Plan, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The question being on the resolution of the committee.

On motion of Mr. Wylie of Concord the resolution was laid upon the table and made a special order for Tuesday, March 26, at 11:03 a. m.

Mr. Stevenson of Exeter called for the special order.

Resolution regarding the soldiers' adjusted compensation.

On motion of the same member the resolution was laid upon the table and made a special order for Wednesday, March 27, at 11:01 o'clock.

#### ORDER VACATED

On motion of Mr. Ahern of Concord the order whereby House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness, was referred to the Committee on Claims was vacated and the joint resolution referred to the Committee on Appropriations.

Mr. Putnam of Hanover gave notice that on tomorrow or some subsequent day he would move to reconsider the action of the House whereby House Bill No. 275, An act relating to the practice of pharmacy and the sale of drugs, was indefinitely postponed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate has passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives.

Senate Bill No. 14, An act relating to mortuary regulations.

Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects.

## SENATE BILLS READ AND REFERRED

Senate Bill No. 14, An act relating to mortuary regulations.

Read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 15, An act to stimulate economic recovery by the encouragement of new building projects.

Read a first and second time and referred to the Committee on Judiciary.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives.

House Bill No. 6, An act relating to horse racing and creating a State racing commission.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives.

House Bill No. 6, An act relating to horse racing and creating a State racing commission.

Amend section 15 of said bill by striking out the comma after the word "act" in the 6th line and inserting in place thereof a period.

Further amend said section by striking out the word "and" in the same line and inserting in place thereof the words, each such person, association or corporation also.

Amend section 21 of said bill by striking out the first three lines of said section and inserting in place thereof the following:

21. *Employees.* At least eighty-five percent of the persons employed by a person, association or corporation conducting a racing plant under the provisions of this act shall be residents of New Hampshire.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.



The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

Amend section 2 of said bill by striking out the words "punishable by a fine" in the fourth line and inserting in place thereof the word, fined.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Real Estate Records.* Amend chapter 19 of the Public Laws by adding after section 8 the following new section: 8-a. *Purchases of Personal Property Authorized.* The governor and council may expend a sum not to exceed five thousand dollars (\$5,000) in any calendar year for the purpose of purchasing from the estates of deceased surveyors and civil engineers such field notes, maps and other records prepared by them as will be of value in preserving real estate records of the State of New Hampshire; and may direct the highway commissioner or other engineers to examine such records as are for sale for the purpose of ascertaining their value to the public. The governor is authorized to draw his warrant for the payment of same out of any money in the treasury not otherwise appropriated.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord business in order at 3 o'clock was made in order at the present time.

On motion of Mr. Leahy of Claremont the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

#### THIRD READINGS

House Bill No. 143, An act relating to municipal finances.

House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 30, An act relating to banks.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 48, An act relative to the rights of political parties.

Read a third time.

The question being shall the bill pass?

(Discussion ensued)

On a *viva voce* vote the negative prevailed.

Mr. Vancore of Northfield called for a division.

Mr. Keefe of Dover moved that the House adjourn.

On a *viva voce* vote at 11:32 o'clock the House adjourned and the bill went into unfinished business.

---

FRIDAY, MARCH 22, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk.

Bath, N. H., March 22, 1935.

Mr. George A. Maxham  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the  
House adjourned.

---

MONDAY, MARCH 25, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., March 25, 1935.

Mr. George A. Maxham  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Gage of Manchester at 7:31 o'clock the  
House adjourned.

---

TUESDAY, MARCH 26, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Molloy of Nashua was granted leave of absence for the  
day on account of illness.

Mr. Burque of Nashua was granted leave of absence for  
the day on account of important business.

Mr. Dodge of Laconia was granted leave of absence for the day on account of illness.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 50, An act relating to nuisances.

House Bill No. 298, An act relative to furnishing information to prosecuting officers.

House Bill No. 310, An act to authorize the purchase of field notes of deceased surveyors and civil engineers.

House Bill No. 6, An act relating to horse racing and creating a State racing commission.

Senate Bill No. 28, An act relative to keeping liquor for sale.

The report was accepted.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 4 and inserting in place thereof the following: 4. *Commission*. For the purpose of carrying out the provisions of the act, there shall be and is hereby created a commission of five, no more than three of whom shall be of the same political party, to be known as the New Hampshire Aerial Tramway Commission, hereinafter called the Commission, which shall consist of the governor *ex officio* and four members to be appointed by the governor with the advice and consent of the council. One member shall be appointed for one year, one for two years, one for three years and one for four years; and upon the expiration of their terms of office their successors shall be appointed for a term of four years. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed

and qualified. The members shall select one of their number to be chairman and another to be secretary of the Commission. The members of the Commission shall serve without compensation, except that they shall be reimbursed for their actual expenses while engaged on the business of the Commission. A majority of the Commission shall constitute a quorum.

Further amend said bill by striking out the whole of section 8 and inserting in place thereof the following: 8. *Charges and Sinking Fund.* There shall be collected for the use of said tramway such charges or fares as the Commission shall deem reasonable. The sums thus collected shall be deposited with the state treasurer, who shall act as treasurer of the Commission and keep said funds in a separate account designated as such. The following disposition shall be made of said funds: *First*, there shall be paid the operating expenses and upkeep of said tramway, and the cost of such improvements as in the opinion of the Commission shall be necessary to the comfort and convenience of the public and to the efficient operation of said tramway. *Second*, there shall be paid the interest and the maturing principal on the bonds and notes issued hereunder. When sufficient funds shall have accumulated in said sinking fund to meet all future interest charges and maturities of principal, the balance shall be covered into the special fund constituted by Chapter 126 of the Laws of 1931, entitled "An act providing a special fund for the rehabilitation of treasury balances and the retirement of state indebtedness", and distributed in accordance therewith.

The report was accepted, the amendments adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Kittredge of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.



Amend said bill by striking out all of section 1 and inserting in place thereof the following: 1. It shall be the duty of each Register of Deeds in the state to send to the selectmen of each town and assessors of each city in his respective county, between the first and fifth days of April in each year, beginning with April 1936, a list of all deeds, mortgages and other conveyances of real estate located in their respective towns.

Further amend said bill by striking out all of section 2 and inserting in place thereof the following: 2. Such lists shall be made on forms prescribed by the State Tax Commission, shall contain the names of each grantor and grantee, the date of the conveyance, the date when recorded, the consideration, the amount of stamps thereon, and a short description of the property transferred, together with such information as the Tax Commission may prescribe. Each Register of Deeds shall receive a fee of twenty cents for each transfer on said lists so furnished, and said fee shall be paid by each town receiving such lists.

Further amend said bill by striking out all of section 4 and inserting in place thereof the following: 4. Each Register of Probate shall, between the first and fifth days of April in each year, beginning with April 1936, send to the selectmen of each town and assessors of each city in which a deceased person whose estate was entered for probate during the preceding year resided or owned real estate, a list containing the name and date of death of such deceased person or persons. Each Register of Probate shall receive a fee of ten cents for each name on said lists so furnished, which fee shall be paid by the city or town receiving said lists.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause

and inserting in place thereof the following: 1. *Heretofore Authorized.* Amend section 13 of Chapter 264 of the Public Laws as amended by Chapter 135 of the Laws of 1927, by inserting a new sentence at the end thereof as follows: "Nothing herein contained shall repeal the provisions of any special charters heretofore granted.", so that said section, as amended, shall read as follows: 13. *Appointment.* Any trust company or similar corporation, incorporated under the laws of this state, or any national bank duly authorized and located within the state, may be appointed trustee or executor when so nominated by any testator in his will, in any case where an individual can be appointed, upon the same conditions and subject to the same control, requirements and penalties; but no corporation shall be appointed in any other fiduciary capacity. No trust company, similar corporation or national bank shall advertise or circularize the fact that it is authorized to act as executor. Nothing herein contained shall repeal the provisions of any special charters heretofore granted.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 350, An act relating to municipal water-works, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 94, An act relating to motor vehicle trailers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 355, An act relative to the operation of motor vehicles, reported the same

with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the entire section and substituting therefor the following:

1. *Operation of Motor Vehicles.* Amend section 12 of chapter 103 of the Public Laws by adding after the word, "railway" in the second line the words, or a motor bus or other motor vehicle carrying school children, so that said section as amended shall read as follows: 12. *Street Cars; Motor Busses; Or Other Motor Vehicles.* The driver of a motor vehicle, approaching or passing a car of any street railway or a motor bus or other motor vehicle carrying school children which has been stopped to allow passengers to alight or embark, shall slow down such vehicle, and, if it be necessary for the safety of the public, shall bring it to a full stop. Motor busses or all other motor vehicles carrying school children should be plainly marked on the rear of such vehicles, in letters two inches in size.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 174, An act providing for the licensing of persons engaged in the motor vehicle repair and/or maintenance business, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 259, An act relating to interest on loans, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 272, An act relating to the establishment of a branch office of the motor vehicle com-

missioner at Dover, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 228, An act relating to permits to operate motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 228, An act relating to permits to operate motor vehicles, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

JOSEPH B. PERLEY,  
ALLEN M. FREEMAN,

*A minority of the Committee.*

Mr. Freeman of Concord moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Neal of Meredith moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the negative prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### BILL FORWARDED

House Bill No. 318, An act relating to the buying and selling of live poultry to be used for food.

Taken from the table.

On motion of Mr. Colburn of Newbury the bill was recommitted to the Committee on Agriculture.



Mr. Henderson of Durham for the Committee on En-grossed Bills to whom was referred Senate Bill No. 30, An act relating to banks, reported the same under joint rule 6 with the following amendments and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by adding after the numeral "VIII-a" the following words, as inserted by section 2, chapter 27 of the Laws of 1933.

Amend section 5 of said bill by striking out the word "seventeenth" in the fourth line and inserting in place thereof the word, twenty-first.

The report was accepted.

On motion of Mr. Wadleigh of Milford the amendment was adopted.

The bill was then sent to the Honorable Senate for concurrence in the adoption of the amendment.

Mr. Henderson of Durham for the Committee on En-grossed Bills, to whom was referred House Bill No. 287 (in Senate new draft and new title), An act to regulate the traffic in intoxicating liquor, reported the same under joint rule 6 with the following amendments and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act providing for a recount of ballots on the question of sale of liquor or beverages in any city or town.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Local Option.* Amend chapter 3 of the Laws of the Special Session of 1934 by adding after section 35 the following new sections:

Further amend said section 1 of said bill by striking out the paragraph numbered 35-b and inserting in place thereof the following:

35-b. *Counting.* At the time and place so appointed in said notification the secretary of state shall produce the ballots and they shall be counted by him with such assistants as he may require. The ballots shall be open to the inspec-



tion of the petitioners, the officials of the city or town, counsel, if any, of the same, and other interested persons, under such suitable rules as the Secretary of State shall prescribe.

The report was accepted.

On motion of Mr. Callahan of Keene the amendments were adopted.

The bill was then sent to the Honorable Senate for concurrence in the adoption of the amendments.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 133, An act relating to injunctions in labor disputes.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

Amend section one of the bill by striking out the word "one" in the sixth line of said section and substituting in place thereof the word "two"; so that said section as amended will read:

1. *Motor Vehicle Registration Fees.* Amend Paragraph III of section 1 of chapter 102 of the Public Laws, as amended by chapter 94 of the laws of 1927, by adding at the end of said paragraph the following: Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates, so that said para-

graph as amended shall read as follows: III. For each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle side-cars, the following rates on the gross weight of the vehicle and load; All vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand and not exceeding six thousand pounds, forty-five cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty cents per hundred pounds shall be added to the above rates; provided that the minimum fee as provided in this section shall be ten dollars for passenger vehicles and fifteen dollars for trucks. Tractors used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates.

Amend section 2 of the bill by striking out the word "upon" in the first line and substituting in place thereof the words "30 days after"; so that said section as amended will read:

2. *Takes Effect.* This act shall take effect 30 days after its passage.

On motion of Mr. Colburn of Newbury the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate has passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim Lake Franklin Pierce.

Senate Bill No. 23, An act relating to the taking of salt water smelt.

SENATE BILLS READ AND REFERRED

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim Lake Franklin Pierce.

The bill was read a first and second time and referred to the Committee on Public Improvements.

Senate Bill No. 23, An act relating to the taking of salt water smelt.

The bill was read a first and second time and referred to the Committee on Fisheries and Game.

RESOLUTION

On motion of Mr. Jones of Lebanon:

*Resolved*, That when the House adjourns to-day, it adjourn in memory of Clarence E. Clough, of Lebanon, a former member of the House.

ORDER VACATED

On motion of Mr. Davis of Conway the order whereby House Bill No. 377, An act relating to the New Hampshire State Employment Service was referred to the Committee on Judiciary was vacated and the bill referred to the Committee on Labor.

SPECIAL ORDERS

Mr. Freeman of Concord called for the special order House Bill No. 357, An act relating to lotteries.

The question being

Shall the report of the minority, that it is inexpedient to legislate be substituted for the report of the majority, that the bill ought to pass.

(Discussion ensued)

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. Brouillette of Manchester offered the following amendment:

Amend section 1 by adding after the word "charitable" in line 5 (of the printed bill) the word labor so that said section as amended shall read as follows:

1. *Amendment.* Amend chapter 384 of the Public Laws by inserting after section 5 of said chapter a new section, as follows: 5-a. *Limitation.* The provisions of this chapter shall not be construed to prohibit any religious, charitable, labor, fraternal or patriotic organization, which has been in existence in this State for at least five years, or its duly constituted officers and agents, from selling tickets and awarding merchandise by lot, the proceeds of which shall be used for the benefit of such organization.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Mr. Cote of Manchester moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

Mr. Weston of Milford called for a division.

A division being taken 239 members voted in the affirmative and 78 members voted in the negative.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Bagley of Berlin called for the special order House Bill No. 34, An act to regulate the practice of barbering.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass.

Mr. Wilson of Manchester moved that the bill be recommended to the Committee on Public Health.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. Wylie of Concord called for the special order the resolution pertaining to the so-called Townsend Plan.

The question being on the report of the committee that it is inexpedient to legislate.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Wylie of Concord demanded the yeas and nays.

On motion of Mr. Hart of Wolfeboro at 12:32 o'clock the House adjourned, and the resolution went over into unfinished business.

#### AFTERNOON

The House met at 3 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 326, An act relating to fiduciary powers of trust companies and National banks.

House Bill No. 350, An act relating to municipal water-works.

House Bill No. 355, An act relative to the operation of motor vehicles.

Severally read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Repre-



sentatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

Amend section 3 of said bill by striking out the words, "re-numbering the same section 6" in the 2nd line and inserting in place thereof the words, striking out the same, re-numbering and inserting in place thereof the following: further amend said section by adding after the word "within" in the 12th line the words, the precinct, so that said section as amended shall read as follows:

3. *Highways; Sidewalks; Sewers.* Amend section 7 of chapter 225 of the Laws of 1901 by striking out the same, re-numbering and inserting in place thereof the following: Sect. 6. The precinct at its annual meeting shall determine what amount of money in addition to the highway taxes to be levied by the authority of the town shall be raised in the precinct and what amount shall be raised for sidewalks and for sewers. All taxes for sidewalks, highways, and sewers in the precinct shall be raised in money, whether by authority of the town or precinct, provided that nothing in this act shall be construed to derogate from the powers and duties of the town and selectmen to provide funds for ordinary and extraordinary repairs of bridges, culverts, highways and embankments within the precinct and for the construction of new highways that may be laid out in the precinct.

On motion of Mr. Hunter of Hanover the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

#### PRESENTATION

Mr. Saltmarsh of Concord on behalf of numerous friends presented the Dean of the House, William J. Callahan of Keene, a handsome spray of roses in commemoration of the 74th anniversary of his birth.

On motion of Mr. Keefe of Dover at 3:22 o'clock the House adjourned.

---

WEDNESDAY, MARCH 27, 1935.

The House met at 11 o'clock.

Prayer was offered by the Rev. William Weston of Milford.

LETTER FROM THE SPEAKER

The following letter was read by the Clerk:

Concord, N. H., March 27, 1935.

Mr. William J. Ahern,

Concord, N. H.

*Dear Sir:*

Under the provisions of the Constitution I am unable to exercise the duties of Speaker during the absence of His Excellency the Governor from the State.

Will you kindly preside for me today and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

LEAVES OF ABSENCE

Messrs. Burque of Nashua and Moran of Nashua were granted leave of absence for the day on account of important business.

Mr. Daly of Claremont was granted leave of absence for the week on account of jury service in Federal Court.

COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 348, An act relating to the powers of the village precinct of Hanover.

Senate Bill No. 30, An act relating to banks.

The report was accepted.

Mr. Henderson of Durham for the Committee on En-

grossed Bills, to whom was referred Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds, reported the same under joint rule 6 with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding after the word "thousand" in the 3rd line the word, dollars, and by striking out the word "dollars" in the fourth line.

Amend section 2 of said bill by striking out the words "consistent of" in the 5th line and inserting in place thereof the words, consistent with.

The report was accepted.

On motion of Mr. Henderson of Durham the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Honorable Senate for concurrence in the adoption of the amendments.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 231, An act relating to native home industries, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the word "native" and inserting in place thereof the words: New Hampshire, so that said title as amended shall read as follows:

An act relating to New Hampshire Home Industries.

Amend section 1 by striking out the word "native" in lines 1 and 2 and inserting in place thereof the words: New Hampshire, so that said section as amended shall read as follows:

1. *New Hampshire Home Industries Board.* There is hereby created a New Hampshire Home Industries Board consisting of seven members who shall be appointed and may for cause be removed by the governor with advice and consent of the council.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 337, An act mak-

ing appropriations for Hampton river jetties, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 54, Joint resolution in favor of Peter LaJoie, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the words "The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated" and inserting in place thereof the words, Said sum shall be a charge upon the fish and game fund, so that said resolution as amended shall read: That the sum of three hundred sixty-five dollars and seventy-five cents (\$365.75) be paid to J. I. Hilliard, of Pittsburg, for the citizens of said town to reimburse them for the purchase of vitriol to poison Blake lake

in said town. Said sum shall be a charge upon the fish and game fund.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 108, Joint resolution in favor of Herbert C. Trenoweth of Manchester, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 81, Joint resolution in favor of Harriet Crafts of Derry, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 112, Joint resolution to reimburse the town of Canaan for cows whose deaths were caused by rabid dogs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee. On motion of Mr. Graham of Canaan the joint resolution was recommitted to the Committee on Claims.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 132, An act for the regulation of small loans, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 132, An act for the regulation of small loans, being unable to agree with the majority, reported the same with the following resolution:



*Resolved*, That it is inexpedient to legislate.

KENNETH F. GRAF,  
THOMAS R. SHEEHY,  
T. H. GOTTS,  
S. A. BULLOCK,  
F. CLYDE KEEFE,  
P. J. KITTREDGE,  
ELISABETH H. MASON,  
WILLIAM WESTON,

*A minority of the Committee.*

Mr. Keefe of Dover moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Wednesday, April 3, at 11:01 o'clock.

On a *viva voce* vote the affirmative prevailed.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 4 (New title and new draft), An act relating to personal property mortgages and other instruments, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Neal of Meredith moved that the rules be suspended and the bill made in order for a third reading by its title at the present time but subsequently withdrew his motion.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 315, An act relative to aid for dependent mothers, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 2 the following new section:

3. *Effect of Laws.* During the time that the state board of welfare and relief exercises the duties of the state board of public welfare, as provided in the act passed at this session of the Legislature, approved March 13, 1934, said board of welfare and relief shall have all the powers and duties con-

ferred upon the said board of public welfare under the provisions hereof.

Further amend said bill by renumbering section 3 to read section 4.

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 1, An act relating to expiration of motor vehicle registrations, municipal permits and licenses for motor vehicle operators, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 16, An act relating to expiration date of motor vehicle registrations, municipal permits and licenses for motor vehicle operators, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Joint Resolution No. 53, Joint resolution relating to employment of residents of New Hampshire on state work, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 105, An act to check drunken driving, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Bill No. 276, An act relating to horse racing and the licensing of bookmakers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 182, An act to provide uniform standards for weight and size of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 353, An act relative to conveyance of land to the state for highway purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester, reported the same with the following amendment and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the word "five" and the figures (\$5,000) in line 1 and inserting in place thereof the word "four" and the figures (\$4,000); further amend by adding after the word "years" in line 5 the following: It is further provided that if the town of Chester makes the appropriation provided for herein and accepts the aid from the state under this resolution said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4. chapter 17 of the Laws

of 1935, approved March 4, 1935; so that said resolution as amended shall read as follows: That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the continuation of the state aid road from Chester to Sandown, provided that the town of Chester appropriates for the same purpose the sum of two thousand dollars (\$2,000) for each of the said two years. It is further provided that if the town of Chester makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole of said resolution and inserting in its place the following: That the sum of three thousand dollars (\$3000) for the year 1935 and a like sum for the year 1936 be and hereby is appropriated for the improvement of the Cherry Valley turnpike, so-called, in the town of Washington, from Washington to Goshen, provided that the town of Washington appropriates the sum of one thousand dollars (\$1000) for each of the said two years for the same purpose. It is further provided that if the town of Washington makes the appropriation provided for herein



and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 and the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand five hundred dollars (\$4,500.00) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Province road in the town of Belmont, provided that the town of Belmont appropriates for the same purpose the sum of fifteen hundred dollars (\$1500.00) for each of the said two years. It is further provided that if the town of Belmont makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 or 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by



the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand five hundred dollars (\$4,500.00) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Province road in the town of Gilmanton, provided that the town of Gilmanton appropriates for the same purpose the sum of fifteen hundred dollars (\$1500.00) for each of the said two years. It is further provided that if the town of Gilmanton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The report was accepted, the amendment adopted and the

joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand five hundred dollars (\$4,500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated on condition that the town of Barnstead appropriates the sum of fifteen hundred dollars (\$1,500) for each of the two years for the improvement of the Province road, so called in the town of Barnstead. It is further provided that if the town of Barnstead makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said construction to begin where improvement ended in Barnstead December 1934 and continue toward the Gilmanton line. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 77, Joint resolution for the improvement of highway lead-

ing from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the resolving clause and substituting therefor the following: That the sum of two thousand dollars (\$2,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of such sections of the highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton as lie in the town of Madison, provided that the town of Madison appropriates one thousand dollars for each of the said two years for the same purpose. It is further provided that if the town of Madison makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935.

Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand dollars (\$4,000.00) for the

year 1936 be and the same is hereby appropriated provided that the town of Dorchester appropriate the sum of one thousand dollars (\$1,000.00) for the improvement and completion of the road leading from Rumney to Canaan in the town of Dorchester. It is further provided that if the town of Dorchester makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the resolving clause and substituting therefor the following: That the sum of two thousand dollars (\$2,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the Water Village road, so-called, from Ossipee Corner to the Tuftonboro line in the town of Ossipee, provided that the town of Ossipee appropriate the sum of one thousand dollars for each of the two years for the same purpose. It is further provided that if the town of Ossipee makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provi-



sions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935.

Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hanson of Gilsum for the Committee on Transportation, to whom was referred House Bill No. 166, An act relating to the weight and length of motor vehicles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 2 and by renumbering section 3 to read section 2.

The report was accepted.

The undersigned, a minority of the Committee on Transportation, to whom was referred House Bill No. 166, An act relating to the weight and length of motor vehicles, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

THOMAS J. McNAMARA,  
GERTRUDE A. HOWISON,  
JOHN P. DEMPSEY,  
FREDERICK M. PICKERING,  
JOHN P. JORDAN,  
CHARLES E. MAGOON,  
EDWARD S. GORDON,  
PHILIAS J. CHABOT,

*A minority of the Committee.*

Mr. McNamara of Lebanon moved that the report of the minority be substituted for the report of the majority.

The question being on the motion.

(Discussion ensued)



Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the Speaker was in doubt.

Mr. Kearns of Manchester asked for a division.

A division being taken 224 members voted in the affirmative and 113 members voted in the negative and the motion to substitute prevailed.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 384, An act relative to the management of the water works in the town of Peterborough, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Emerson of Washington the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 30, An act relating to banks.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 270, An act relating to the practice of chiropody.

Amend section 1 of the bill by inserting after the word "by" in the fifth line the word external; so that said section as amended will read:

1. Amend chapter 208 of the Public Laws by adding a new section as follows:

1. *Definition.* Within the meaning of this act, a chiropodist is defined as one who treats by external medical, mechanical or electrical means including bandaging and strapping, local ailments of the structures of the human foot; or as one who treats by surgical means local ailments of the superficial structures of the human foot. General anaesthetics or amputation of the foot or toes are not permitted. This and the following sections of this chapter shall not apply to surgeons of the United States Army, Navy, or Marine hospital service, nor to physicians and surgeons regularly licensed under the laws of this state.

On motion of Mr. Coakley of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on En-

grossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 124, An act relating to suspended sentences.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Misdemeanors.* Amend section 11-a of chapter 369 of the Public Laws as inserted by chapter 98 of the Laws of 1929 by adding after the word "court" in the third line the words, or the case otherwise filed; further amend said section by striking out the word "six" in the fifth line and inserting in place thereof the word, three, so that said section as amended shall read as follows:

11-a. When in case of a misdemeanor a sentence to the house of correction or jail is imposed and the operation of said sentence is suspended by the court or the case otherwise filed, a mittimus for the service of said sentence may be issued by said court or its officers during a period of three years immediately subsequent to the date of the sentence and not thereafter.

On motion of Mr. Henderson of Durham the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

Amend section 1 of said bill by striking out the words, "or any corporation," in the 8th line.

Further amend said section 1 by striking out the words "shall be punished for a first offense by a fine of not more than one hundred dollars or by imprisonment for not more than six months, and for a subsequent offense by a fine of not more than five hundred dollars or by imprisonment for not more than one year" in the 16th to 20th lines, inclusive, and inserting in place thereof the words: shall for a first offense be fined not more than one hundred dollars or imprisoned for not more than six months and for a subsequent offense shall

be fined not more than five hundred dollars or imprisoned for not more than one year.

Further amend said section 1 by striking out the last sentence in the 34th to 40th lines, inclusive, and inserting in place thereof the following: Any corporation violating any provisions of this section shall be fined not more than one thousand dollars; and every officer, agent or employee of any such corporation, who on behalf of the same, directly or indirectly, engages in any of the acts herein prohibited, or assists such corporation to do such prohibited acts, shall be fined not more than five hundred dollars.

On motion of Mr. Smart of Tilton the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

#### SPECIAL ORDER

Mr. Stevenson of Exeter called for the special order a resolution regarding the soldiers adjusted compensation.

The question being on the resolution.

On motion of Mr. Stevenson of Exeter the resolution was laid upon the table.

#### ORDER VACATED

On motion of Mr. Carroll of Laconia the order whereby House Bill No. 235, An act prohibiting the discharge of sewage and other wastes into Lakes Winnisquam and Opechee and providing for the construction of sewage treatment plants, was referred to the Committee on Public Health was vacated and the bill referred to a special committee consisting of the delegation from the county of Belknap.

On motion of Mr. Hunter of Hanover at 12:54 o'clock the House adjourned.

#### AFTERNOON

The House met at 3 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 231, An act relating to New Hampshire home industries.

House Bill No. 337, An act making appropriations for Hampton river jetties.

House Bill No. 346, An act providing for an excise tax on margarine made from imported oils and fats.

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 42, An act relative to Penacook union school district.

## SENATE BILL READ AND REFERRED

Senate Bill No. 42, An act relative to Penacook union school district.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Kearns of Manchester at 3:22 o'clock the House adjourned.



THURSDAY, MARCH 28, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LETTER FROM THE SPEAKER

The following letter was read by the Clerk:

Concord, N. H., March 28, 1935.

Mr. William J. Ahern,

Concord, N. H.

*Dear Sir:*

Under the provisions of the Constitution I am unable to exercise the duties of Speaker during the absence of His Excellency the Governor from the State.

Will you kindly preside for me today and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

## LEAVES OF ABSENCE

Messrs. Cole of Northumberland and Cormier of Nashua were granted leave of absence for the day on account of important business.

## RESOLUTION

On motion of Mr. Lee of Concord.

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

## COMMITTEE REPORTS

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 66, An act in relation to tax collectors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 72, An act relative to recount of ballots after an election, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing said Farmington village precinct to fund or refund its indebtedness as represented by notes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 225, An act relating to levy of executions on real estate, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: Amend chapter 214 of Public Laws of New Hampshire 1926 by striking out sections 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 thereof and inserting in place thereof the following: 6. *Levy.* The officer required to levy an execution on the debtor's property, in which a homestead right may exist, may levy the execution and set off or sell said property in accordance with the provisions of chapter 345 of the Public Laws, subject to any such homestead right.

Further amend said bill by renumbering section 16 to read section 7.

8. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Bullock of Richmond for the Committee on Judiciary,

to whom was referred House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 1 and inserting in place thereof the following: 1. *Prohibition*. No person, except as hereinafter provided, shall sell or offer for sale in the streets of any city or town any artificial flowers or miniature flags or patriotic emblems.

Further amend said bill by striking out all of section 2 and inserting in place thereof the following: 2. *Permission Granted*. The mayor and aldermen of a city, or the selectmen of towns, may, in their discretion, authorize from time to time the sale, or the offering for sale, on the streets of said city or town, of artificial flowers and miniature flags by the Grand Army of the Republic, United Veterans of the Spanish War, Veterans of Foreign Wars, The American Legion, and other recognized charitable or military organizations.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service Commission, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 2 and inserting in place thereof the following: 2. *Amendment*. Amend chapter 238 of the Public Laws by striking out section 24 and inserting in place thereof the following: 24. *Unlawful Conduct; Orders*. Whenever the commission shall be of the opinion that any person, firm, association or corporation is doing anything or is about to do anything which without commission approval is unlawful, or which is contrary to laws for the enforcement of which the jurisdiction and authority of the commission extends or contrary to the orders of the commission, it may after notice and hearing issue such just and reasonable orders to desist and refrain from such

unlawful conduct as the public good requires. Except as otherwise herein provided, every order of the commission requiring any person, firm, association or corporation to do or not to do anything, shall take effect at the time therein specified, and shall continue in effect for such period as shall be therein designated, and if no particular time shall be designated, until the same shall be altered, amended, suspended, annulled, set aside or otherwise notified by the commission or the court.

Further amend said bill by striking out in section 3 the words "law or to" in the 7th and 8th lines, so that said section as amended shall read as follows: 3. *Amendment.* Amend said chapter 238 by striking out sections 38 to 42, inclusive, and inserting in place thereof the following sections: 38. *Compliance.* Every person, firm, association or corporation shall obey, observe and comply with every order made by the commission under the authority of this title so long as the same shall be and remain in force, and in any case wherein action is brought for the violation of the orders of the commission or for the restraining or enjoining of conduct contrary to the orders of the commission the jurisdiction and authority of the commission to issue the order or orders involved and the validity thereof shall not be open to review; provided, however, that nothing in this section shall be construed to limit the right of appeal in the original proceedings in which such order was issued.

39. *Penalty.* Any firm, association or corporation which shall violate any provision of this title, or fails, omits or neglects to obey, observe or comply with any order, direction or requirement of the commission, shall be fined not more than five hundred dollars for each offense. Every distinct violation shall be a separate offense and in case of a continuing violation, each day shall be a separate offense.

40. — *Against Individual.* Every officer and agent of a firm, association or corporation subject to the jurisdiction of the commission or any other person who shall wilfully violate, or who procures, aids or abets any violations of this title, or who wilfully fails to obey, observe and comply

with any order of the commission, or procures, aids or abets any such firm, association or corporation in its failure to obey, observe and comply with any such order or provision, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both, for each offense. Every distinct violation shall be a separate offense and in case of a continuing violation, each day shall be deemed a separate offense.

41. *Recovery.* Any forfeiture provided by this chapter shall be recovered in a civil suit in the name of the state. Such actions shall be brought by the commission or the commission may direct the attorney-general to bring the action, or the attorney-general may without direction bring such action whenever he shall have knowledge that such forfeiture has been incurred.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 321, An act relating to the terms of the superior court, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 331, An act relating to kidnapping, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Davis of Conway the rules were sus-



pended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 318 (In new draft and with new title), An act relating to the buying or selling of live poultry to be used for food, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 14 by striking out "April 1, 1935." and inserting in place thereof the words: thirty days from date of passage, so that said section as amended shall read as follows:

14. *Takes Effect.* This act shall take effect thirty days from date of passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 142, Joint resolution in favor of the State Planning and Development Commission, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the resolution by striking out the words and figures "nine thousand five hundred dollars (\$9,500)" and inserting in place thereof the following: seven thousand five hundred dollars (\$7,500), so that said resolution as amended shall read as follows:

That the sum of seven thousand five hundred dollars (\$7,500) be and hereby is appropriated for the state planning and development commission for the fiscal year ending June 30, 1935, for its general purposes and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No.

138, Joint resolution to provide additional allowance for traveling expenses of the governor, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption of resolution by striking out the whole thereof and inserting in its place the following: To provide additional appropriation to the Governor's contingent fund.

Further amend resolution by striking out all after the resolving clause and inserting in its place the following:

The sum of fifteen hundred dollars (\$1,500) is hereby appropriated for the fiscal year ending June 30, 1935 as an additional contingency fund to be expended by the Governor in the same manner and for the same purposes as the regular contingency fund and the Governor is hereby authorized to draw a warrant out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendments adopted and the joint resolution ordered to a third reading.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 294, An act relating to neglected and delinquent children, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 294, An act relating to neglected and delinquent children, being unable to agree with the majority, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

FRANCIS X. COTE,  
THOMAS H. GOTTS,  
ANTHONY BURGAULT,  
LULA J. A. MORRIS,  
JOHN J. O'REILLY,  
ALLEN M. FREEMAN,  
ALBERT LEAHY,  
JOHN J. KEARNS,

*A minority of the Committee.*

Amend section 14 by striking out the word "copy" in line 22 and inserting in its place the word, summary, so that said section as amended shall read as follows:

14. *Disposition of Delinquents; Probation; Institutional Care.* When a child is found to be delinquent, if not insane or feeble-minded, the court may continue the case from time to time and commit the child to the care or custody of a probation officer on such conditions as it believes necessary, including orders for restitution or reparation, allowing it to remain either in its own home or placing it in a suitable family or institutional home, subject to visitations by and reports to the probation officer and subject to return for further or other orders and proceedings as necessary, or it may commit the child then, or at any subsequent time before it becomes twenty-one and before discharge, to the Industrial School for the balance of its minority, if at the time of commitment the child is eighteen or under, or if it is over eighteen, either to the Industrial School, House of Correction, Jail, or State's Prison, to any or all of them for such term or terms during its minority, with such orders as it deems necessary for its care, training, custody and correction, and in so far as it is possible in keeping with their other duties, the superintendents and keepers thereof shall cooperate in carrying out such orders. In the case of all commitments, a summary of the probation officer's investigation, of all medical and mental reports, and the history of the case during court treatment, shall accompany the commitment. Such records shall be kept at all times so that no one, except by court order, other than officers of the institution where the child is committed, duly accredited probation officers and others entrusted with the corrective treatment of said child, shall have access to the same. Any officer or employee of an institution who permits other than authorized persons to have access to such records, or any officer or employee or person entrusted with the use of the same for corrective purposes, or anyone else, who publishes or permits the publication of such records or parts of the same, except by court order, shall be in contempt of court and may be punished for each offense by a fine not to exceed

five hundred dollars or by imprisonment not to exceed six months, or both.

Amend section 15 by striking out the whole of said section and inserting in its place the following:

15. *Orders for Physical and Mental Treatment.* If it is alleged in any complaint or petition, or it appears from the investigation in the case, or at any time in the course of proceedings relating to a neglected or delinquent child, that it is in need of physical and/or mental treatment, the lack of or failure to receive which is or will become a probable contributing cause to its present or future dependency or delinquency, due notice of that fact shall be given as provided in section 5 of this act, and upon hearing, if the court finds such to be a fact, and the necessary treatment will not probably endanger the health or reason of the child, he shall order the parent, guardian or custodian of the child to provide the necessary treatment and if said order is not carried out within a time fixed, then said treatment shall be given at the expense of the county, and recovery of the expenses shall be had by the county from the person or persons, corporation, town, city or county chargeable by law for said child's necessities.

Amend section 16 by striking out the whole of said section and inserting in its place the following:

16. *Feeble-minded or Insane.* If it is alleged in any complaint or it appears from the investigation in the case, or at any time in the course of proceedings relating to any neglected or delinquent child, that it may be feeble-minded or insane, due notice of that fact shall be given, as provided in section 5 of this act, and upon hearing, the court shall determine whether or not said child is feeble-minded or insane, and if he finds such to be the fact, may commit said child to the State Hospital or to the Laconia State School, to be there detained and cared for according to the laws relating to said institutions with the right of recovery against the person or persons, corporation, town, city or county chargeable by law for support.

Amend section 18 by striking out the whole thereof and inserting in its place the following:



18. *Court Sessions.* The judge shall hear juvenile cases as provided in the act creating Juvenile and Domestic Relations Sessions, but said hearing shall be separate from the trial of criminal cases and shall be held wherever possible in rooms not used for such trials. Said proceedings shall be informal and shall not be deemed to be of a criminal nature.

Amend section 24 by adding at the end thereof the words, and such adjudication shall not be deemed a conviction so that said section as amended shall read as follows:

24. *Interpretation.* This act shall be liberally construed to the end that its purpose may be carried out, to wit, that the care, custody and disposition of a child shall approximate as nearly as may be that which should be given by his parents, and that, in cases where it can properly be done, the child shall be kept in its own or an approved family home and become a member of the family by legal adoption or otherwise. No child shall be deemed a criminal by reason of an adjudication hereunder, and such adjudication shall not be deemed a conviction.

On motion of Mr. Keefe of Dover the reading of the amendments was dispensed with.

Mrs. Morris of Lancaster moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, April 2, at 11:01 o'clock.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more effective administration of justice therein reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more effective



administration of justice therein, being unable to agree with the majority, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

FRANCIS X. COTE,  
THOMAS H. GOTTS,  
ANTHONY BURGALT,  
LULA J. A. MORRIS,  
JOHN J. O'REILLY,  
ALLEN M. FREEMAN,  
ALBERT LEAHY,  
JOHN J. KEARNS,

*A minority of the Committee.*

Amend the title by striking out same and substituting therefor the following: An act creating the juvenile and domestic relations sessions of the probate court, a board of probation and providing for the use of probation.

Amend section 1 by striking out the whole thereof and inserting in place the following:

1. *Jurisdiction and Division in Administration.* The probate court in each county shall have original and exclusive jurisdiction of all cases relating to illegitimacy, marriage, divorce, annulment and alimony, neglected, dependent, defective and delinquent juveniles, custody, adoption and guardianship of minors, change of name, all offenses against minors under eighteen, non-support, and abandonment of dependents. In its administration the Court shall be divided into two divisions, known as the probate session and the juvenile and domestic relations session. All matters above enumerated except guardianship shall be administered in the juvenile and domestic relations session, and all other matters, including guardianship, in the probate session. For the purposes of investigation in cases of guardianship of minors, the facilities of probation shall be available and made use of by the probate session.

Amend section 2 by inserting before the word "juvenile" in line 4 the words, probation and, so that said section as amended will read as follows:

2. *Judges, Appointment and Qualifications.* There shall be appointed in each county by the Governor and Council, after consulting with and considering the recommendation of the board of probation and juvenile and domestic relations, hereinafter created—one judge who shall be known as the judge of the juvenile and domestic relations session of the probate court, who shall have exclusive original jurisdiction within the county of all cases covered by this act. He shall be a resident of the county, preferably a member of the bar, and may be the judge of probate then serving. If at the time of appointment he is the judge of probate then serving, or if the judge of juvenile and domestic relations session is appointed judge of probate for that county, he shall preside over both the probate and juvenile and domestic relations sessions of the court, but he may resign as judge of either of said sessions without resigning from both, and if from the juvenile and domestic relations session, a new appointment shall be made by the Governor and Council for that session as provided above. The term and manner of appointment of judges of probate sessions, however, is not limited by this act.

Amend section 3 by inserting after the word “qualified” in line 11 the words, or able, so that said section as amended will read as follows:

3. —, *Related Activities and Disqualifications.* In the absence or disqualification of either the judge of probate or the judge of juvenile and domestic relations sessions, the other may preside over the session of the one so absent or disqualified provided that such other shall, before so presiding, file with the register of probate a statement that he will not while so presiding act as attorney, be of counsel, or receive any fees as attorney or counsel in any matter which may come before him or before the court over which he is to preside.

In case there is no judge within the county qualified or able to hold sessions in either court, a judge of probate as provided by statute shall be called to sit in probate sessions and a judge either of both sessions or of a juvenile and domestic relations session of another county to sit in juvenile and domestic sessions.

Amend section 4 by striking out the whole of said section and inserting in place thereof the following:

4. —, *Salaries*. The annual salaries of the judges of juvenile and domestic relations sessions for the various counties shall be paid by the State and shall be,—

Hillsborough .....	\$2,400.
Rockingham .....	1,200.
Merrimack .....	1,000.
Grafton .....	1,000.
Cheshire .....	800.
Strafford .....	800.
Coos .....	700.
Sullivan .....	700.
Belknap .....	700.
Carroll .....	500.

They shall be paid in addition thereto their actual expenses while in attendance at court.

In case the office of judge of probate and judge of juvenile and domestic relations sessions are merged by appointment, the salaries of both shall be paid to the judge so acting. In case either judge sits in the place of the other, except by appointment, the one so sitting shall receive ten dollars per day and actual expenses. In case there is more than one day per month—except during one month in the year—the amount in excess of one day shall be deducted from the salary of the judge whose office is thus filled. During one month in the year, which the judge may select, there shall be no charge back for substituted sessions.

Amend section 7 by adding at the end the words, and wherever necessary such additional compensation shall be paid for these services as the board may fix, so that said section as amended will read:

7. *Clerks of Juvenile and Domestic Sessions*. The register of probate in each county shall be the clerk of the juvenile and domestic relations sessions and perform all the necessary duties by himself or his deputies, and wherever necessary such additional compensation shall be paid for these services as the board may fix.

Amend section 12 by striking out the whole of said section and substituting therefor the following:

12. At the trial of a complaint or indictment for rape, incest, carnal abuse or other crime involving sex or unnatural acts, where a minor under eighteen years of age is the person either committing the alleged offense, or upon, with or against whom the crime is alleged to have been committed, or at the trial of a complaint or indictment for illegitimacy, where the mother of the child whose paternity is in question is such a minor, or at the hearing of the case of a neglected or delinquent child, the judge shall if said trial is before this court, or may, if before the superior court, exclude the general public from the court room, admitting only such persons as may have a direct interest in the case, and the court may in all other cases within the scope of this act exclude the public.

Amend section 13 by inserting in lines 1 and 2 before the word "of" the words, probation and, so that said section as amended will read as follows:

13. *Board of Probation and Juvenile and Domestic Relations:* There shall be a board of probation and juvenile and domestic relations created immediately upon the passage of this act, said board to consist of the secretary of the board of public welfare, the commissioner of education, the chief justices of the superior and juvenile and domestic relations sessions of the probate court, and three laymen, appointed by the Governor and Council, one for a period of six years, one for four years, one for two years and thereafter one lay member of the board shall be appointed every two years for a six year term from the expiration of the previous term. All shall serve without pay, but shall be reimbursed by the State their necessary expenses in performing the duties of their office. Any member of the board except the members ex-officio may be removed by the Governor with the advice and consent of the Council.

Amend by adding a new section as follows: 13A. *Recovery for Board and Care of Dependents Incurred by Court Order.* Actions by or against any person or persons, corporation, town, city or county, for recovery of monies paid and ex-



penses incurred in connection with orders of court for support, care and treatment of dependents may be begun by petition setting forth the facts and filed in the juvenile and domestic sessions courts in the county where the order was made. Upon due notice to all parties of interest and after hearing thereon, such orders, decrees and judgments shall issue as justice may require.

Amend section 17 by striking out the whole of said section and inserting in place thereof the following:

17. *Probation Officers Selected and Assigned.* Each court of juvenile and domestic relations shall appoint as many full or part time probation officers as is necessary, from a list found qualified by the board upon a competitive examination based upon education, previous experience, ability, personality, character, and special aptitude for such work. The officer or officers of each court, subject to rules adopted by the court and approved by the board, may serve any other court in the county, or adjacent county or counties, and when arrangements have been made between two or more juvenile and domestic relations courts as to pay and allotment of work, the same officer or officers may serve both courts. For a period of two years from the passage of this act no more than seven probation officers shall be appointed to serve the juvenile and domestic relations courts of this state. This act shall not prevent any other court from appointing an officer and fixing his compensation but such officer shall come under the general supervision of the board.

Amend section 18 by inserting after the word "officers" in line 4 the words, of this court; further amend by inserting in line 6 after the word "board" the words and figures, except that until July 1, 1937, the maximum annual salary paid shall not exceed \$1,800, so that said section as amended will read as follows:

18. *Compensation and Quarters.* The county shall furnish suitable office accommodations and pay the salaries and necessary expenses of the probation officer or officers of this court working therein. The salary shall be fixed by the judge within a scale of salaries established by the board, except that



until July 1, 1937, the maximum annual salary paid shall not exceed \$1,800. In the case of necessary expenses to be incurred by a probation officer in going out of the state for purposes directed by the court, the county commissioners shall advance a sufficient sum on the court's order to cover the same, to be accounted for upon his return, supported by vouchers. All expenses shall be audited by the court. In the case of a difference between said commissioners, court and officers, as to whether quarters are suitable or expenses are reasonable, said board shall be the arbitrator, its ruling final and its orders complied with.

Amend section 19 by inserting in line 2 after the word "judge" the words, of juvenile and domestic relations sessions, so that said section as amended will read as follows:

19. *Pro Tem Officer.* In the absence of the county probation officer and his or her assistants, the judge of juvenile and domestic relations sessions shall appoint a temporary probation officer from the approved list, who shall have the powers and perform the duties of such probation officer and shall receive from the county as compensation for each day's services an amount equal to two-thirds the per diem rate of the officer in whose place he serves; but compensation so paid to a temporary probation officer for any excess over thirty days' service in any one year shall be deducted by the county commissioners from the compensation of the probation officer in whose stead such service was rendered.

Amend paragraph I of section 21 by striking out in line 3 the words, the court, and substituting therefor the words, any court, so that said paragraph as amended will read:

I. To investigate, at the request of any court any case, matter or question within his jurisdiction, whether then pending or not, and to report to such court the result of such investigation, with recommendations.

Amend paragraph II of section 21 by striking out in line 7 the word, children, and substituting therefor the word, persons; further amend by striking out in lines 10 and 11 the words, under the laws relating to children's cases, so that said paragraph as amended will read as follows:

II. To take charge of persons before, at and after hearing of their cases, escorting them to agencies or institutions to which they may be committed, and to perform any duties as probation officers, assigned to them by the board or any court.

Amend paragraph III by striking out the whole thereof and substituting therefor the following:

III. To supervise persons released on parole by any institution, if requested by such institution, on such terms and conditions as may be agreed to by the board.

Amend section 22 by striking out the word, the, in line 1 and substituting therefor the word, any; further amend by inserting after the word "and" in line 6 the words, in addition, so that said section as amended will read as follows:

22. *Probation and suspension of sentence.* Any court when it shall appear that the interests of the public, as well as of the defendant, will be best subserved thereby, shall have power after conviction or a plea of guilty or nolo contendere to suspend the imposition or execution of sentence and in addition place the defendant on probation, upon such terms as it deems necessary, for a definite or indefinite period not to exceed five years.

Amend section 23 by striking out in lines 6 and 7 the words, except where it clearly appears such investigation and report is unnecessary; further amend by striking out all after the word "examinations" in line 9, so that said section as amended will read as follows:

23. *Investigation required.* No defendant shall be placed on probation, and no custody, adoption or guardianship of a minor under eighteen shall be granted, until the report of an investigation by a probation officer shall have been presented to and considered by the court. When deemed necessary by the probation officer or ordered by the court, such investigation shall also include physical and mental examinations.

Amend section 24 by striking out the whole of said section and substituting therefor the following: 24. *Payment of Fines and Restitution While on Probation.* When a person is convicted before a court and is placed on probation, such person may be ordered to pay a fine or to pay a reasonable

sum as restitution for damages caused by the offense and such payments shall be paid in one or several sums to a probation officer of the county, who shall pay immediately the full amount of payments received by him to the person, association or corporation directed by the court to receive the same.

Amend section 26 by striking out the word, defendant, in line 17 and substituting therefor the word person; further amend by adding at the end of said section the following: If the dependents for whom such payments are made are other than charges of the county asking such payments, it shall have the right of recovery for all payments in excess of the credits against the person or persons, corporation, town, city or county chargeable with support of such dependents, so that said section as amended will read as follows:

26. *Institutions to pay if defendant is imprisoned.* If the court imposing a sentence or committing for contempt finds that any dependent of the person so committed is in destitute or needy circumstances, he shall so enter the fact and the number of dependents in the order of commitment and the superintendent or keeper of the jail, house of correction, State's prison or other penal institution, where he is confined upon such sentence or commitment, shall certify monthly to the county treasurer for payment to the probation officer of such court, out of the annual appropriation for the maintenance of such institution, a sum equal to fifty cents for each dependent, not exceeding in all a total of one dollar and a half, for each day's hard labor performed by the person so confined, and the county treasurer shall make such payments monthly to the probation officer for payment as provided in Section 24. If in any such institution such person shall receive or be credited with any sum for such labor, two-thirds of the same shall be deducted by the superintendent or keeper and paid to the county treasurer on account of such expenditure and by him credited to the institution.

If the dependents for whom such payments are made are other than charges of the county asking such payments, it shall have the right of recovery for all payments in excess of the credits against the person or persons, corporation, town,

city or county chargeable with support of such dependents.

Amend by striking out section 29.

Amend by striking out section 30.

Amend section 33 by striking out in line 9 the words, State school for feeble-minded, and substituting therefor the words, Laconia State school; further amend by striking out all after the word "other" in line 11 and substituting therefor the words, in carrying out the purposes of this act, so that said section as amended will read as follows:

33. *Co-operation.* The board and its officers; the justices of the superior, probate, municipal and justice courts throughout the State, and the clerks or registers of said courts; the attorney-general and his assistants and the solicitors of all cities and counties; sheriffs and their deputies; police commissioners, chiefs of police, constables and other police officers; trustees and superintendents of the State's prison, State reformatory, the State hospital and the Laconia State school; the superintendents and keepers of county farms and jails; shall at all times co-operate to the fullest extent with each other in carrying out the purposes of this act.

Amend section 35 by striking out the whole of said section and substituting therefor the following:

14. *Operation as to existing cases and indictments.* On and after July 1, 1935, all proceedings within the purview of this act, except as hereinafter noted, shall be brought in the juvenile and domestic relations sessions. All proceedings within the purview of this act which have been properly entered in a court of competent jurisdiction before July 1, 1935, on which hearing has not been begun, shall be transferred to the juvenile and domestic relations sessions, but if hearing has been begun, the court or courts having jurisdiction thereof shall retain jurisdiction for final disposition, unless the parties agree to transfer the same to the juvenile and domestic relations sessions. All indictments for offenses within the purview of this act, returnable subsequent to July 1, 1935, shall be returned to the superior court, but shall be certified by that court at once to this court for investigation and disposition according to the provisions of this act.



In the case of juveniles thus transferred, if jurisdiction is retained, such juveniles shall be dealt with only as provided in the act entitled "neglected and delinquent children."

Amend section 36 by striking out the whole of said section and substituting therefor the following, renumbering as section 15:

15. *Transfers to Superior Court.* All cases arising in or certified to the juvenile and domestic relations in which the offense complained of constitutes a felony, or would amount to a felony in the case of an adult, except cases of children under sixteen years of age, may after investigation and consideration, before hearing and upon notice to the defendant, be certified to the superior court, if the juvenile and domestic relations sessions judge deems that justice will be better served thereby. Cases so certified shall be disposed of by the superior court according to the laws of this state relating thereto, without any limitations as to sentence or orders required by this act, and by the act entitled "neglected and delinquent children."

Amend section 37 by renumbering as section 16.

Amend section 38 as section 17; further amend by striking out the words, this court, in line 2 and substituting therefor the words, the juvenile and domestic relations session; so that said section as amended will read as follows:

17. *Bail.* Whenever bail for appearance is taken in matters over which the juvenile and domestic relations sessions has jurisdiction, including indictments for offenses within the purview of this act, it shall be for the appearance of the accused in this court at such time and place as is designated in the recognizance and in addition thereto for such appearance before the superior court as may be ordered.

On motion of Mr. Keefe of Dover the reading of the amendments was dispensed with.

Mrs. Morris of Lancaster moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, April 2, at 11:02 o'clock.



Mr. Brouillette of Manchester moved that House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags, be put back upon its second reading for the purpose of amendment.

On a *viva voce* vote the motion prevailed.

Mr. Brouillette of Manchester offered the following amendment:

Amend section 2 of said bill by adding after the word "Legion" the words Labor organizations.

On a *viva voce* vote the amendment was not adopted.

Mr. Callahan of Keene asked for a division.

(Discussion ensued)

Mr. Callahan withdrew his request for a division and asked for another *viva voce* vote.

On motion of Mr. Keefe of Dover the bill was recommitted to the Committee on Judiciary.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H., et als, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

The Committee on Claims, to whom was referred House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Helen Hagerty, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 338, An act relating to false statement of age by minors, reported the same with the recommendation that the bill be referred to the Committee on Liquor Laws.

The report was accepted and the bill referred to the Committee on Liquor Laws.

Mr. Rose of Portsmouth for the Committee on Liquor

Laws, to whom was referred House Bill No. 381, An act relating to wholesalers of beer, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand dollars (\$2,000.) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated, provided that the town of Dunbarton appropriates the sum of one thousand dollars (\$1,000.) for each of the two years; It is further provided that if the town of Dunbarton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Im-

provements, to whom was referred House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the resolving clause and substituting therefor the following: That the sum of three thousand dollars (\$3,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the main road from Antrim Center to the Franklin Pierce highway in the town of Antrim at the Cunningham Corner, so-called, provided that the town of Antrim appropriates fifteen hundred dollars (\$1,500) for each of the two years for the same purpose. It is further provided that if the town of Antrim makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Neal of Meredith further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury, reported the same with the following

amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of five thousand dollars (\$5,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the road from Sunapee to Newbury, provided that the town of Sunapee appropriates the sum of two thousand dollars (\$2000) for each of the said two years. It is further provided that if the town of Sunapee makes the appropriation provided for herein and accepts the aid from the State under this resolution, said town shall not be entitled to apply for or receive State aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of six thousand dollars (\$6,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of such sections of the highway leading from Center Ossipee to Conway via Effingham



Falls, Freedom and Eaton as lie in the town of Conway, provided that the town of Conway appropriates three thousand dollars (\$3,000) for each of the two said years for the same purpose. It is further provided that if the town of Conway makes the appropriation provided for herein and accepts the aid from the State under this resolution, said town shall not be entitled to apply for or receive State aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the State shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Neal of Meredith further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the resolving clause and substituting therefor the following: That the sum of two thousand five hundred dollars (\$2,500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the road leading from Wilson Corner to the Sharon town line, in the town of Peterborough, provided that the town of Peterborough appropriates five thousand dollars (\$5,000) for the year 1935 for the same purpose. It is further provided that if the town of Peterborough makes the appropriation provided for herein



and accepts the aid from the State under this resolution, said town shall not be entitled to apply for or receive State aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the State shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of forty-five hundred dollars (\$4500) be and the same is hereby appropriated for the year 1935 provided that the town of Kingston appropriates the sum of fifteen hundred dollars (\$1500) for the completion of the state aided road in the town of Kingston known as the Powwow road. It is further provided that if the town of Kingston makes the appropriation provided for herein and accepts the aid from the state under this resolution, said state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4 chapter 17 of the Laws of 1935, approved March 4, 1935. Said sum appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the

joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fowell of Nashua for the Committee on State Hospital, to whom was referred House Bill No. 75, An act to provide for additional facilities at the State hospital, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 1 and 2 the words and figures, three hundred and seventy-five thousand five hundred dollars (\$375,000), and inserting in place thereof the following, three hundred and fifty-three thousand five hundred dollars (\$353,500); further amend by striking out in lines 11, 12, 13 and 14 the words, the sum of twenty-two thousand dollars for the construction and equipment of a double tenement house for the use of married physicians serving on the medical staff; so that said section as amended will read as follows: 1. *Appropriation.* The sum of three hundred and fifty-three thousand five hundred dollars (\$353,500) be and hereby is appropriated for the following additional facilities at the State hospital: the sum of one hundred and seventy-one thousand dollars (\$171,000) for the construction and equipment of an additional wing to the Tobey Building; the sum of seventy-five thousand dollars (\$75,000) for the construction of a laundry building and to purchase machinery and equipment therefor; the sum of one hundred and seven thousand five hundred dollars (\$107,500) for the construction and equipment of an administration building; all to be expended in accordance with plans and specifications to be approved by the governor and council.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fowell of Nashua for the Committee on State Hospital, to whom was referred House Joint Resolution No. 34, Joint resolution for improvements at the State hospital, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of thirty-three thousand three hundred dollars (\$33,300) be and hereby is appropriated for the following improvements at the State hospital: The sum of nine thousand eight hundred dollars (\$9,800) for the conversion of the old piggery building into a combination horse barn, isolation house for cows, and rat proof granary; the sum of thirteen thousand five hundred dollars (\$13,500) for reconstruction of main electric feed wires and connecting circuits; and the sum of ten thousand dollars (\$10,000) for the construction and equipment of a double tenement house for the use of married physicians serving on the medical staff, to be used in connection with additional funds to be furnished by the trustees from trust fund income, to be expended in accordance with plans and specifications to be approved by the governor and council. The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 74, An act authorizing the town of Lancaster to issue bonds, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 90, An act relating to the supervision of electricians, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 167, An act to

provide for reciprocal privileges in the registration and operation of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 169, An act to provide for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 211, An act relating to fees of county officials, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 217, An act to provide a method of licensing retail outlets maintained in the State of New Hampshire by foreign-owned corporations, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Bill No. 230, An act to forfeit automobiles for illegal transportation of liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 253, An act relating to



financial aid in the purchase of automobiles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred House Bill No. 254, An act relating to the membership of the examining board for plumbers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 325, An act to create a State board of accountancy, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 260, An act relating to the regulation of small loans, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee was adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 301, An act relating to the Public Service Commission, reported the same in a new draft, with the recommendation that the bill in its new draft be printed and recommitted to the Committee on Judiciary.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills.



House Bill No. 149, An act having reference to personal property in unorganized places.

House Bill No. 218, An act to prevent the practice of law by unauthorized persons and by corporations.

House Bill No. 287, An act providing for a recount of ballots on the question of sale of liquor or beverages in any city or town.

The report was accepted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 54 (New draft), An act defining the rights of school board members in supervisory unions.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 356, An act authorizing the sale of certain property of the State.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 287 (in Senate new draft and new title), an act to regulate the traffic in intoxicating liquor.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

Amend said bill by adding after section 2 the following new section:

3. *Town and City Elections.* Amend section 89 of chap-

ter 26 of the Public Laws by striking out said section and inserting in place thereof the following: 89. *Special Provisions*. Where this system is in force at local elections a plurality shall elect, the city or town clerk shall prepare the ballot and nominations shall be filed with him seven days before the election. The number of days herein given shall include Sunday and shall end on the day before election at six o'clock in the afternoon.

Further amend said bill by renumbering section 3 to read section 4.

On motion of Mr. Coakley of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Annual Town Meeting*. The annual town meeting in the town of Claremont may be held in the town hall. The polling place for the election of town officers at said meeting may be on the first floor of said building and the other business of said meeting may be transacted on the second floor of said building. The transaction of business and the voting by ballot may be carried on at the same time.

Further amend said bill by striking out section 2 and inserting in place thereof the following: 2. *Special Officers*. The assistant moderator of said town, whose office was established by chapter 289 of the Laws of 1911, shall have such powers and duties of the moderator relative to voting and the transaction of business as the moderator may assign to him. The selectmen prior to said annual meeting shall appoint an assistant clerk who shall have such powers and duties of the town clerk relative to voting and the transaction of business at said annual meeting as the town clerk may assign to him.

Mr. Wilson of Manchester moved that the House nonconcur.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

Mr. Wilson of Manchester withdrew his motion.

On motion of Mr. Quimby of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTION

On motion of Mr. Van Vliet of Manchester:

WHEREAS, This House has learned with sorrow of the death of a former member, John Barry of Manchester, therefore

*Be it Resolved*, That the Speaker appoint a committee of three to draw up resolutions of sympathy to the bereaved family.

The Speaker named as members of such committee Messrs. Van Vliet, Roukey, and Sweeney of Ward 11, Manchester.

Mr. Wilson of Manchester moved that the rules be suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Acquisition Authorized*. Subject to the provisions of this act, consent is hereby given to the acquisition of lands in this state by the United States of America for any public purpose duly authorized by the laws of the United States.

2. *Approval of Acquisition.* No land shall be acquired pursuant to this act until and unless the acquisition shall have been recommended by the board hereinafter provided for and shall have been approved by the Governor and Council; but this act shall not apply to the acquisition by the United States of sites for postoffices, custom houses or other public buildings, or effect an amendment or repeal of chapter 1 of the Public Laws.

3. *Land Use Board.* There is hereby established a Land Use Board consisting of five members, no more than three of whom shall be of the same political party, who shall be appointed by the Governor, with the advice and consent of the Council. The terms of the members of such board shall be for one, two, three, four and five years, respectively, in the order of their appointment, and for five years thereafter. The Governor, with the advice and consent of the Council, shall appoint and commission one member as chairman and a second member as secretary of the board. Said board shall establish reasonable rules of procedure, and shall keep written records.

4. —. At least fourteen days before said board shall take action upon any proposed acquisition under the terms of this act, covering land in any town or city, it shall, by letter addressed to the board of selectmen in such town, or to the board of mayor and aldermen in such city, advise it in substance in regard to the proposed acquisitions. At the request of the selectmen in such town or the board of mayor and aldermen in such city where the purchase of such land is contemplated, said Land Use Board shall grant a public hearing in such town or city, or at some other convenient place. Provided, however, that no land shall be acquired under the provisions of this act until the acquisition of the same shall be approved by a majority of the voters present and voting at a regular or special town meeting in towns, or by a majority vote of the board of mayor and aldermen in cities.

5. *Approved by Governor and Council.* The Governor and Council, upon recommendation of the Land Use Board, are hereby authorized on behalf of the state



(a) To accept leases or enter into other agreements with the United States, or a duly authorized agency thereof, for the administration and maintenance of any such lands, with or without improvements, upon such terms and conditions as they may consider proper. Net income derived from any of such lands which may be designated for administration by the State Forestry Department shall be disposed of by the Governor and Council in the same manner as other income received from state forests and forestry reservations; and all income from other such lands shall be covered into the general funds of the state;

(b) To accept deeds from the United States, of any such lands, upon such terms and conditions as they may consider proper.

6. *Limitations.* Lands which may be acquired under this act shall be such as by reason of quality, location or condition are better adapted to public conservation, forestry, recreation, experimental and demonstration purposes than for continued private ownership and development. Such acquisition shall be limited in total within the state to two per cent of the total land area of the state, and shall be further limited in each town or city to an amount of land, the assessed valuation of which on April 1 of the preceding year was five per cent of the total assessed valuation on such date of all the real estate in such town or city. The provisions of this act shall not limit the authority of the United States to acquire lands for the White Mountain National Forest within the boundaries established by proclamation of the President of the United States, dated October 26, 1929; and the limitations as to area and valuation contained in this section shall not apply to acquisitions within the boundaries of the existing White Mountain National Forest Purchase Unit, or any new National Forest Purchase Units that may be recommended by the Land Use Board and approved by the Governor and Council; nor shall such acquisitions be included in computing such limitations.

7. *Jurisdiction.* The State of New Hampshire shall retain concurrent jurisdiction with the United States in and



over all lands acquired under the terms of this act so far that the civil and criminal law of this state shall apply on said lands in the same manner and to the same effect as if this act had not been enacted; and exclusive jurisdiction in and to said lands shall revert to the State of New Hampshire when said lands shall cease to be owned by the United States.

8. *Eminent Domain.* No owner of land which the United States proposes to acquire under the terms of this act shall be required to sell by institution of proceedings for condemnation of such land; but when a land-owner shall have agreed to sell to the United States, and agreement is had upon the sale price, proceedings for condemnation may be instituted for the sole purpose of clearing title to said land. The provisions of this section shall not apply in the acquisition of such lands for National Forest purposes.

9. *Appropriation.* The sum of one thousand dollars is hereby appropriated for each of the next two years for the purposes of this act, payable out of any funds in the treasury not otherwise appropriated.

10. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Wilson of Manchester the further reading was dispensed with.

On motion of the same member the bill with the accompanying amendment was laid upon the table.

On motion of Mr. Keefe of Dover the Clerk was instructed to procure 850 copies of House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, as amended and that a copy be mailed immediately to each member of the House.

On motion of Mr. Callahan of Keene business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April 1934 and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 304, An act relating to the issuance and enforcement of orders by the Public Service Commission.

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

House Bill No. 321, An act relating to the terms of the superior court.

House Bill No. 331, An act relating to kidnapping.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

Severally read a third time and passed and sent to the Senate for concurrence.

Mr. McDonough of Dover desired to be recorded as voting against the passage of House Joint Resolution No. 142.

On motion of Mr. Neal of Meredith at 12:34 o'clock the House adjourned.

---

FRIDAY, MARCH 29, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., March 29, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the House adjourned.

---

MONDAY, APRIL 1, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., April 1, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

---

TUESDAY, APRIL 2, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Weston of Milford was granted leave of absence for the day on account of attending a funeral.

Messrs. Hayes of Manchester and Barry of Manchester were granted leave of absence for the day on account of illness.

Messrs. Wylie of Concord and Lavigne of Nashua were granted leave of absence for the day on account of important business.

Messrs. Freeman of Concord and Hunter of Hanover were granted leave of absence for the week on account of absence from the State.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 54, An act defining the rights of school board members in supervisory unions.

House Bill No. 124, An act relating to suspended sentences.

House Bill No. 204, An act to increase the powers of the Couvent de la Presentation de Marie, a voluntary corporation.

House Bill No. 302, An act relative to the perambulation of town lines.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton, March 12, 1935.

Senate Bill No. 35, An act authorizing the city of Somersworth to issue refunding notes or bonds.

The report was accepted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 112, Joint resolution to reimburse the town of Canaan for cows whose deaths were caused by rabid dogs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 280, An act relating to motor vehicles, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to transfer of ownership of motor vehicles.

Amend said bill by striking out all after the enacting clause inserting in place thereof the following:

1. *Transfers.* Amend section 8, chapter 100, Public Laws, by striking out the whole section and inserting in place thereof the following: 8. *Of Registration.* A person who so transfers or loses a registered motor vehicle, upon the filing of a new application, and upon the payment of the proper fee, if any, may have registered in his name another motor vehicle for the remainder of the calendar year, if the registration fee of said motor vehicle is the same or less than that of the motor vehicle first registered by him. If the registration fee is greater the applicant shall pay the difference. If the registration fee is less the applicant shall be entitled to a refund of a portion of the difference as follows: Three-fourths of the difference when the transfer of registration takes place during the first three months after the date of issue of the original registration; one-half of the difference when the transfer of registration takes place during the second three months after the date of the issue of the original registration, and one-fourth of the difference when the transfer of registration takes place during the third three months after the date of issue of the original registration. No refund shall be made when the transfer of registration takes place during the fourth three months after the date of issue of the original registration.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 386, An act to provide for the remodeling of the state library, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second



time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 387, An act relating to the practice of optometry, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 389, An act establishing the office of State Veterans Service Officer, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 390, An act relative to liability for motor vehicle accidents, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 391, An act relative to grants to towns for payments on account of direct relief, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted and the bill read a first and second time.

On motion of Mr. Perley of Lebanon the rules were suspended, and the printing of the bill and its reference to a committee dispensed with.

Mr. Perley of Lebanon moved that the rules be suspended and the bill made in order for a third reading at the present time.

The question being on the motion of Mr. Perley.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 392, An act defining and relating to narcotic drugs, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 393, An act relating to the powers of Little Boar's Head district, a village district in the town of North Hampton, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 144, Joint resolution for the study of occupational diseases in New Hampshire, with the recommendation that the joint resolution be referred to the Committee on Public Health.

The report was accepted, the joint resolution read a first

and second time, laid upon the table to be printed and referred to the Committee on Public Health.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 300, An act providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution by the United States of America.

House Bill No. 302, An act relative to the perambulation of town lines.

House Bill No. 374, An act legalizing the proceedings of the annual town meeting held in the town of Greenville on March 12, 1935.

House Bill No. 383, An act legalizing the proceedings of the town meeting held in the town of Campton March 12, 1935.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 35, An act to authorize the city of Somersworth to issue refunding notes or bonds.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 133, An act relating to injunctions in labor disputes.

Amend section 1 of said bill by striking out the first thirteen lines and inserting in place thereof the following:

1. *Hearings upon Court Orders.* Amend section 27 of chapter 380 of the Public Laws by adding at the end of said section the following: All hearings upon court orders granting or denying an injunction in such matters and all appeals from

such orders shall be given precedence in the superior and supreme courts over other matters pending, to the end that an expeditious adjudication of the issues may be reached, so that said section as amended shall read as follows:

Further amend said section 1 by striking out the last sentence thereof and inserting in place thereof the following: All hearings upon court orders granting or denying an injunction in such matters and all appeals from such orders shall be given precedence in the superior and supreme courts over other matters pending, to the end that an expeditious adjudication of the issues may be reached.

The question being on concurrence in the amendments offered by the Committee on Engrossed Bills.

(Discussion ensued)

On a *viva voce* vote the House concurred.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, was recalled from His Excellency the Governor.

#### SPECIAL ORDER

Mr. Keefe of Dover called for the special order House Bill No. 294, An act relating to neglected and delinquent children.

The question being,

Shall the report of the minority that the bill ought to pass with amendments be substituted for the report of the majority that it is inexpedient to legislate?

On motion of Mr. Keefe of Dover the bill was recommitted to the Committee on Judiciary.

Mr. Keefe of Dover called for the special order House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more effective administration of justice therein.

The question being,

Shall the report of the minority that the bill ought to pass with amendments be substituted for the report of the majority that it is inexpedient to legislate?

Mr. Keefe of Dover moved that the bill be recommitted to the Committee on Judiciary.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Ahern of Concord, House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, was taken from the table.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The bill was then referred to the Committee on Appropriations under the rules.

On motion of Mr. Osborne of Sunapee the rules were suspended to allow of a hearing to be held on the above bill at 2 o'clock without advertising the same in the **Journal**.

Mr. Perley of Lebanon for the Committee on the Investigation of Expenditures for Relief under the acts passed at the 1933 session of the Legislature presented the following report:

**TO THE MEMBERS OF THE HOUSE:**

In our investigation of relief expenditures I wish to make the following comment:

The total expenditures connected with relief cases to the direct relief cost for eighteen months under House Bill No. 417 was as follows:

Federal Grants	\$4,148,975.
State Funds	2,279,632.
Local Funds	1,171,280.
or a total of	<hr/> \$7,599,887.

To this cost should be added two years' Class B highway work of \$900,000 or \$1,800,000 for two years:

Forestry Work Projects of approximately \$200,100.

State General Work Projects approximately \$300,000.

C. W. A. expenditures, \$3,400,000.

Federal P. W. A. Loans and Grants, \$2,177,800.

Federal C. C. Camps, \$1,500,000.

Funds loaned to Berlin for Work, \$1,00,000. and other relief work of approximately \$2,500,000. in all a total of \$20,477,687. in eighteen months time upon expenditures directly and indirectly spent on relief in the State of New Hampshire.

When this investigation of costs was proposed I had no axe to grind, only to show the people what total amount was expended in the State



so that the people could realize what was needed in the coming two years for such relief work in order to keep the people properly fed and clothed.

If the present condition is continued and unless federal aid is continued to a large amount the taxpayers of the State will be forced to contribute to this fund and I believe even more than the past. In 1933 it was estimated that \$2,000,000 would take care of all people needing relief.

This amount was far from being sufficient and at the present time it is costing us over two and one-half times that amount for direct relief and it behooves this Legislature to take cognizance of the facts and be prepared to go back to our towns and cities and impart to its citizens the danger that is confronting them at the present time.

We have already passed a new welfare act with a new set-up of officers inexperienced in relief work in every way. It took the administration of the old act over a year to familiarize themselves with what is needed and to conduct their department in an economic manner.

Now, we have destroyed the one which was experienced and able to function in a proper manner and are starting out anew.

I believe that those who held key positions in the old set-up should be consulted so that mistakes that they made will not happen in the new and save considerable expenditures in money.

APPROXIMATE SUMMARY OF  
TOTAL DIRECT AND UNEMPLOYMENT RELIEF EXPENDITURES

18 Months Period: July 1, 1933-Dec. 31, 1934

Under Bill 417 Administration

(From State Treasurer)

Direct Relief (includes overhead) .....	\$5,434,000.
N.H.E.R.A. Work Relief .....	731,762.
R.F.C. Unemployment Relief .....	357,812.
Transients .....	282,777.
State Public Works .....	223,564.
Special Recreational Projects .....	140,972.
Federal Surplus Commodities .....	98,036.
Professional Projects .....	72,554.
Women's Work Relief .....	62,284.
Gardens for Unemployed .....	47,279.
Rural Rehabilitation .....	46,833.
Adult Education .....	24,556.
Child Health Program .....	22,254.
College Student Employment .....	18,316.
Special Work Relief .....	15,497.
13 Other items such as Children's lunches, & milk, Reemployment Service, Rural Activities, Training, etc. ....	57,534.
	<hr/>
	\$7,636,030.

Forestry Work Project .....	\$ 95,058.
Class V Highway Work Relief 1934 .....	893,129.
Class V Highway Work Relief 1933 .....	896,054.
Federal Special Highway Work Grants 1933-34.....	3,000,000.
Federal C. C. C. Camps .....	1,500,000.
Federal P. W. A. Grants .....	2,177,800.
Federal C. W. A. Expenditure .....	3,400,000.
State Pulp Wood Cutting Loan to Berlin.....	1,000,000.
	<hr/>
	\$12,962,041.

GRAND TOTAL, 18 months .....\$20,598,071.

NOTE: \$650,000 is included in first item—direct relief—the latest estimate of unpaid 1934 bills.

## CHAPTER 150

### *Laws of 1933, Section 7*

Appropriation .....	\$200,000.00
Total Expenditures .....	135,257.23
Total Amount Charged to Administration for Supplies.....	2,255.55

List of Salaries of over \$125.00 per month:

<i>Name</i>	<i>Rate</i>	<i>Total Paid</i>
Demetri Lenchtenberg	\$125.00	\$393.43
C. Randall Childs	125.00	335.00
C. P. Cronk	200.00	800.00
Howard Goodspeed	166.66	293.33
C. N. Proctor	150.00	1,034.64
		<hr/>
		\$2,856.40

### *Laws of 1933, Section 8*

Appropriation .....	\$400,000.00
Total Expenditures .....	318,068.90
Total Amount Charged to Administration for Supplies.....	8,527.86

List of Salaries of over \$125.00 per month:

<i>Name</i>	<i>Rate</i>	<i>Total Paid</i>
H. J. Lockwood	\$266.66	\$ 295.82
E. H. Stolworthy	208.33	194.43
John D. MacGowan	173.33	2,426.62
S. Eastman Root	150.00	1,187.50
Mayland H. Morse	375.00	4,500.00
Benjamin K. Ayers	350.00	3,003.34
R. R. Marsden	300.00	1,200.00
John Pearson	346.66	2,588.31
E. H. Hunter	416.66	3,268.64
Marjorie Cautley	650.00	2,150.00
H. L. Leach	325.00	2,275.00
Howard Goodspeed	260.00	651.34

<i>Name</i>	<i>Rate</i>	<i>Total Paid</i>
Sophia H. Glidden	\$195.00	\$1,092.23
Barney Johnson	130.00	756.33
Herbert C. Pearson	130.00	756.13
Lawrence H. Tucker	130.00	723.67
Charles Bowen	325.00	1,830.77
Albert Baker	216.66	512.74
C. S. Whitcher	216.66	361.09
A. J. Plourde	1.00 per hour	1,876.00
W. B. McAllister	173.00	520.00
E. N. Roberts	135.00	390.00
A. Faneuf	135.00	390.00
Charles Hamlen	135.00	360.00
G. H. Clark	135.00	270.00
		<hr/>
		\$ 33,580.06

## NEW HAMPSHIRE EMERGENCY RELIEF ADMINISTRATION

Grants .....	\$576,037.20
Transfers .....	153,754.32
<hr/>	
Total Available .....	729,791.52
Total Expenditures .....	724,400.15
Total Administration .....	74,113.94

## List of Salaries of over \$125.00 per month:

<i>Name</i>	<i>Rate</i>	<i>Total Paid</i>
Clyde H. Gray	\$28.85)	
	35.00)	\$1,073.66
F. Shea	28.85	374.60
Charles J. Kelley	35.00	793.31
M. O. Ferrini	28.85	1,004.87
C. W. Clark	40.00	760.00
Charles J. Ash, Eng.	34.61	1,355.57
R. A. Bisson, Eng.	40.38	1,002.77
A. A. Clough, Eng.	34.61	692.21
M. V. B. Colby, Adm. Asst.	28.85) Increased by Royden	
	38.46) Reed when trans-	
	46.15) ferred to Eng. Dept.	1,696.04
F. A. Coleman, Eng.	40.38)	
	46.15)	1,576.79
Paul Covey, Eng.	46.15)	
	48.08)	1,866.40
G. P. Eager, Sup.	40.15	147.21

E. R. Elkins, Sup.	\$35.00)	
	40.00)	\$804.61
James Frame, Eng.	35.07	181.23
M. D. Kearney, Eng.	40.38	1,211.30
K. Lane, Surveyor	35.00	490.00
D. G. Letourneau, Eng.	40.38	430.72
Eugene Magenau, Eng.	33.65)	
	40.38)	437.45
R. R. Marsden, Eng.	69.23)	
	46.15)	2,438.40
W. B. McAllister, Eng.	33.00)	
	40.00)	830.60
E. D. Aulton	40.38	191.81
C. E. Peterson, Eng.	40.38)	
	43.85)	1,373.13
S. Eastman Root	30.76)	
	46.15)	
	51.92)	1,979.68
G. Sylvester	30.00	300.00
J. W. Taggart, Eng.	40.38)	
	33.65)	1,022.96
L. W. Waters, Eng.	40.38	847.98
C. N. Wentworth	40.38	181.71
H. Wheeler, Ad. Asst.	51.92)	
	34.60)	449.96
		<hr/>
		\$ 25,514.97

## GOVERNOR AND COUNCIL EMERGENCY FUND

*Minimum Wage*

Total Available	June 29, 1933	\$ 5,000.00
	January 30, 1934	3,500.00
	July 13, 1934	5,000.00
	December 18, 1934	3,750.00
		<hr/>
		\$1,550.00

## Administration

	<i>Rate</i>	<i>Total</i>
Ethel M. Johnson	200.00	3,600.00
Grace Potter	150.00	2,700.00
Total other Salaries		1,847.95
Other Administration Expense		4,130.18
		<hr/>
Total Expenditures		\$12,278.13

*Inter-State Compacts*

Total Available	December 14, 1933	\$ 385.00
	July 13, 1934	920.00
	December 14, 1934	250.00

---

\$ 1,550.00

## Administration

Personal Services	657.70
Other Current Expenses	497.67

---

Total Expenditures \$ 1,155.37

*Cost of Living Study*

Total Available	December 14, 1933	\$ 6,500.00
	December 18, 1934	1,500.00

---

\$ 8,000.00

## Administration

	<i>Rate</i>	
A. Spencer Platt	150.00	\$ 525.00
Other Personal Services		1,323.90
Other Administration Expenses		1,624.42

	<i>Fiscal Year</i>	<i>Dec. 31, 1934</i>	
	1934	<i>Fiscal Yr. 1935</i>	
Total Expenditures	1,231.49	2,241.83	\$ 3,473.32

*Unemployment Reserves*

Total Available	December 14, 1933	\$ 385.00
	July 13, 1934	2,000.00
	December 18, 1934	1,000.00

---

\$ 3,385.00

## Administration

	<i>Rate</i>	<i>Total</i>
H. L. Reycroft	130.00	\$ 390.00
Other Personal Services		556.64
Other Administration		1,185.77

---

Total Expenditures \$ 2,132.41

*Purchasing Standardization*

Total Available	January 30, 1934	\$ 1,800.00
	July 13, 1934	2,500.00

---

\$ 4,300.00

## Administration

M. H. Bletz	300.00	\$ 3,300.00
Other Administration		879.44

---

Total Expenditures \$ 4,179.44



*Emergency Reemployment*

Total Available	July 13, 1933	\$ 5,000.00
No Expenditures		.....

*U. S. Employment Service*

Total Available	July 13, 1934	\$ 5,000.00
	Federal	5,357.00

---

 \$10,357.00

## Administration

	<i>Rate</i>	
Frederick E. Hosmer	182.08	\$ 719.57
William Falconer	182.08	315.41
Frank H. Brooks	158.32	468.30

---

 \$ 1,503.28

## Total Expenditures

Personal Services	\$ 4,071.73
Other Administration	2,338.80

---

 \$ 6,410.53

## FEDERAL TRANSIENT BUREAU

Total Available .....	\$299,051.00
Total Expenditures .....	281,495.73
Total Administration .....	37,851.39

## List of Salaries over \$125.00 per month charged to Administration:

<i>Name</i>	<i>Rate</i>	<i>Total</i>
Marion N. LaSater	\$225.00	\$ 2,137.50
J. D. MacGowan	200.00	600.00
J. V. Keveney	200.00	240.02
F. H. Linder	175.00	915.83
E. W. Fyler	175.00	787.50
Roma. Sater Wilhoit	175.00	262.50
Milton Shapiro	100.00	1,050.00
Total, other Salaries		9,507.87

---

 \$15,501.22

## CHAPTER 160

*Laws of 1933*

Appropriation .....	\$1,800,000.00
Total Expenditures .....	4,887,754.56
Total Administration .....	517,713.03

## List of Salaries over \$125.00 per month:

<i>Name</i>	<i>Rate</i>	<i>Total Paid</i>
A. Gourley	\$183.32	\$ 2,806.54
E. W. Fyler	175.00	635.83
E. Patch	250.00	3,250.00
A. L. Wilder	333.33	1,166.63
J. L. T. Shaw	200.00	1,126.66
Katherine P. Hewins	225.00	2,362.50
M. A. Mitchell	150.00	1,437.50
M. Fox	150.00	2,136.34
K. York	175.00	2,887.50
M. Shaw	150.00	2,487.50
D. Whitten	175.00	2,550.00
A. Leonardi	150.00	2,625.00
O. M. Jacques	175.00	1,791.63
V. O. Wilder	150.00	450.00
M. Mackay	133.33	2,291.60
F. O'Neil	225.00	1,941.60
A. Clark	150.00	2,208.33
D. Hackett	150.00	2,058.33
A. McMahan	150.00	975.00
F. H. Linder	150.00	975.00
Marion LaSater	150.00	475.00
B. Briggs	175.00	2,275.00
C. Wilson	175.00	2,475.00
K. O'Mealey	175.00	875.00
R. Symonds	150.00	1,587.50
L. Albee	150.00	1,500.00
W. Parker	150.00	675.00
M. Price	150.00	2,700.00
H. Mooney	150.00	2,700.00
E. Smith	150.00	2,650.00
E. Tower	200.00	600.00
		<hr/>
		\$56,675.99

## CHAPTER 150

*Laws of 1933, Section 1*

## A. Classification of Expenditure

*1933 Expenditures*

Amount expended for Labor	\$485,191.88*
Amount expended for Trucks	
Equipment and Material	407,692.15
<hr/>	
Total expended	\$892,884.03

\* This amount was paid to 27,417 employees.

*1934 Expenditures*

Amount expended for Labor	\$614,867.34
Amount expended for Trucks	
Equipment and Material	289,349.34
Total expended	<hr/> \$904,216.68

- B. Total Estimated Amount of Administration, which sum was charged to a General Highway Fund as Engineering \$ 22,104.08

## RELIEF COSTS IN YOUR TOWN

How did 1934 Relief Costs in your town compare with other towns in the County?

What is a general estimate of the increases in taxes in 1935, due to relief costs?

What was the actual cost for relief in your town for January 1935?

The attached pages attempt to quickly show some comparative facts on relief costs based on money actually spent in 1934. Data used for the study was obtained from the N.H.E.R.A.

A check of this 1935 tax increase estimate with actual relief costs incurred by your town in January 1935 is not possible at this date because local reports are not yet completed.

A second series of relief cost facts, to be issued shortly, will list by towns an estimate of the taxes required from certain towns, through county taxation, to pay the cost of relief cases in other cities and towns of the county.

The New Hampshire Foundation,  
25 Capitol Street, Concord, N. H.

February 5, 1935.

## PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN BEEN BORNE LOCALLY

*Belknap County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Meredith	XXXXXXXXXXXXXXXXXXXXX	3.15	3.87
Center Harbor	XXXXXXXXXXXXXXXXXXXXX	2.73	3.38
Alton	XXXXXXXXXXXXXXXXXXXXX	2.91	3.65
Barnstead	XXXXXXXXXXXXXXXXXXXXX	3.75	4.74
Gilmanton	XXXXXXXXXXXXXXXXXXXXX	3.47	4.40
Belmont	XXXXXXXXXXXXXXXXXXXXX	3.50	4.49
Gilford	XXXXXXXXXXXXXXXXXXXXX	2.30	3.00
County	Av. 31.8%	3.09	4.07
Laconia	XXXXXXXXXXXXXXXXXXXXX	3.30	4.40
Tilton	XXXXXXXXXXXXXXXXXXXXX	2.66	3.60
Sanbornton	XXXXXXXXXXXXXXXXXXXXX	3.00	4.08
New Hampton	XXXXXXXXXXXXXXXXXXXXX	2.30	3.23
0 4 8 12 16 20 24 28 32 36 40		% Increase in Tax Rate	

## PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN BEEN BORNE LOCALLY

*Carroll County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Brookfield	XXXXXXX	4.22	4.82
Chatham	XXXXXXX	3.00	3.28
Tuftsboro	XXXXXXXXX	2.00	2.28
Jackson	XXXXXXXXX	3.00	3.44
Moultonboro	XXXXXXXXX	2.42	2.79
Sandwich	XXXXXXXXX	2.32	2.69
Eaton	XXXXXXXXX	3.38	3.96
Conway	XXXXXXXXX	3.50	4.11
Bartlett	XXXXXXXXX	3.10	3.68
Freedom	XXXXXXXXX	3.36	3.99
Tamworth	XXXXXXXXX	2.93	3.48
Madison	XXXXXXXXX	3.70	4.44
County	Av. 20.75%	3.04	3.67
Wolfeboro	XXXXXXXXX	3.09	3.82
Wakefield	XXXXXXXXX	3.11	3.95
Albany	XXXXXXXXX	2.66	3.41
Ossipee	XXXXXXXXX	3.68	4.90
Effingham	XXXXXXXXX	4.30	6.04
0 4 8 12 16 20 24 28 32 36 40		% Increase in Tax Rate	

## PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN BEEN BORNE LOCALLY

*Cheshire County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

	<i>Tax Rate</i>	
	<i>Actual</i>	<i>Increased</i>
W'moreland	3.00	3.06
Sullivan	3.05	3.23
Dublin	2.50	2.68
Marlboro	2.90	3.13
Harrisville	2.14	2.32
Stoddard	2.60	2.83
Walpole	3.30	3.59
Roxbury	2.20	2.41
Chesterfield	2.86	3.15
Rindge	2.74	3.02
Jaffrey	2.37	2.63
Surry	1.99	2.22
Nelson	2.55	2.87
Marlow	3.61	4.09
Swansey	2.90	3.29
Fitzwilliam	3.70	4.20
County	2.70	3.07
Keene	2.66	3.08
Hinsdale	1.90	2.20
Gilsum	3.95	4.59
Winchester	3.00	3.49
Troy	3.55	4.15
Alstead	1.94	2.35
Richmond	2.90	4.73

Av. 13.74%

0 4 8 12 16 20 24 28 32 36 40 44 48 52 56 60 64  
% Increase in Tax Rate



PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN  
BEEN BORNE LOCALLY

*Coos County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Wentworth's Loc.	xxxxxx	3.50	3.72
Milan	xxxxxxx	2.95	3.15
Clarksville	xxxxxxxxx	2.66	2.90
Dummer	xxxxxxxxx	3.35	3.67
Dalton	xxxxxxxxx	3.35	3.69
Carroll	xxxxxxxxx	2.20	2.46
Colebrook	xxxxxxxxx	3.13	3.50
Lancaster	xxxxxxxxxxx	3.13	3.54
Randolph	xxxxxxxxxxx	1.95	2.21
Stratford	xxxxxxxxxxx	3.00	3.41
Errol	xxxxxxxxxxx	1.91	2.18
Shelburne	xxxxxxxxxxx	1.76	2.01
Gorham	xxxxxxxxxxx	2.60	2.98
Whitefield	xxxxxxxxxxx	3.21	3.68
Stewartstown	xxxxxxxxxxx	3.74	4.30
Jefferson	xxxxxxxxxxx	2.80	3.25
Pittsburg	xxxxxxxxxxx	2.62	3.06
Stark	xxxxxxxxxxx	2.90	3.39
Northumberland	xxxxxxxxxxx	2.89	3.38
County	Av. 19.13%	3.03	3.61
Columbia	xxxxxxxxxxx	2.80	3.47
Berlin	xxxxxxxxxxx	3.35	4.19
0 4 8 12 16 20 24 28			
% Increase in Tax Rate			

PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN  
BEEN BORNE LOCALLY

*Grafton County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Orange	xxxxx	3.30	3.48
Woodstock	xxxxx	3.37	3.56
Groton	xxxxxx	2.96	3.13
Bethlehem	xxxxxxx	2.97	3.16
Bridgewater	xxxxxxxx	2.45	2.63
Lincoln	xxxxxxxx	3.15	3.39
Easton	xxxxxxxx	2.70	2.91
Hebron	xxxxxxxx	2.10	2.27
Holderness	xxxxxxxx	2.36	2.57
Hanover	xxxxxxxx	2.74	2.99
Bristol	xxxxxxxx	2.59	2.83
Canaan	xxxxxxxx	3.33	3.66
Franconia	xxxxxxxx	2.48	2.73
Campton	xxxxxxxx	2.46	2.71
Littleton	xxxxxxxx	3.05	3.36
Alexandria	xxxxxxxx	2.74	3.02
Waterville	xxxxxxxx	1.52	1.68
Plymouth	xxxxxxxx	3.04	3.36
Landaff	xxxxxxxx	2.89	3.20
Piermont	xxxxxxxx	2.45	2.72
Dorchester	xxxxxxxx	2.24	2.49
Lisbon	xxxxxxxx	3.12	3.46
Enfield	xxxxxxxx	2.80	3.12
Bath	xxxxxxxx	2.33	2.60
Lyme	xxxxxxxx	2.92	3.27
County	Av. 11.96%	2.55	2.85
Orford	xxxxxxxxxx	3.25	3.64
Thornton	xxxxxxxxxxxx	3.22	3.64
Ashland	xxxxxxxxxxxx	2.84	3.22
Haverhill	xxxxxxxxxxxx	2.39	2.73
Benton	xxxxxxxxxxxx	1.76	2.02
Rumney	xxxxxxxxxxxx	2.95	3.38
Warren	xxxxxxxxxxxx	3.30	3.80
Lyman	xxxxxxxxxxxx	2.33	2.71
Lebanon	xxxxxxxxxxxx	2.97	3.46
Ellsworth	xxxxxxxxxxxx	4.35	5.15
Grafton	xxxxxxxxxxxx	3.26	3.91
Monroe	xxxxxxxxxxxx	0.97	1.16
Wentworth	xxxxxxxxxxxx	2.80	3.38
Livermore	xxxxxxxxxxxx	0.78	0.95

0 4 8 12 16 20 24  
% Increase in Tax Rate

PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN  
BEEN BORNE LOCALLY

*Hillsboro County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
New Boston	XXXXXXXXXXXX	4.58	5.18
Sharon	XXXXXXXXXXXX	2.70	3.06
Temple	XXXXXXXXXXXX	4.05	4.60
Bedford	XXXXXXXXXXXX	2.90	3.31
Deering	XXXXXXXXXXXX	3.40	3.89
Mont Vernon	XXXXXXXXXXXX	3.10	3.55
Francestown	XXXXXXXXXXXX	3.20	3.69
New Ipswich	XXXXXXXXXXXX	2.80	3.23
Windsor	XXXXXXXXXXXX	2.31	2.67
Hillsboro	XXXXXXXXXXXX	3.46	4.00
Antrim	XXXXXXXXXXXX	3.25	3.76
Lyndeboro	XXXXXXXXXXXX	3.55	4.13
Amherst	XXXXXXXXXXXX	2.75	3.25
Weare	XXXXXXXXXXXX	3.47	4.11
Litchfield	XXXXXXXXXXXX	2.47	2.95
Hudson	XXXXXXXXXXXX	3.45	4.14
Mason	XXXXXXXXXXXX	3.26	3.96
Wilton	XXXXXXXXXXXX	3.20	3.89
Hollis	XXXXXXXXXXXX	2.92	3.56
Merrimack	XXXXXXXXXXXX	2.76	3.37
Peterborough	XXXXXXXXXXXX	3.06	3.74
Goffstown	XXXXXXXXXXXX	2.74	3.36
Bennington	XXXXXXXXXXXX	2.41	2.97
Milford	XXXXXXXXXXXX	2.65	3.27
Nashua	XXXXXXXXXXXX	2.84	3.55
Hancock	XXXXXXXXXXXX	2.30	2.89
Greenville	XXXXXXXXXXXX	2.24	2.83
County		Av. 26.74%	2.87
Pelham	XXXXXXXXXXXX	2.43	3.08
Greenfield	XXXXXXXXXXXX	2.80	3.55
Brookline	XXXXXXXXXXXX	3.20	4.09
Manchester	XXXXXXXXXXXX	2.85	3.70

0 4 8 12 16 20 24 28 32  
% Increase in Tax Rate

## PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN BEEN BORNE LOCALLY

*Merrimack County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration.

E. and O. E., the statement demonstrates the variation existing in the relief burden as between towns.

Limitation of space prevents the tabulation of data prepared for all towns and counties.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Dunbarton	xxxxxxxx	\$3.00	3.26
Hopkinton	xxxxxxxx	2.72	3.03
Andover	xxxxxxxx	3.17	3.54
Pittsfield	xxxxxxxx	3.35	3.74
Boscawen	xxxxxxxx	2.85	3.21
Epsom	xxxxxxxx	3.25	3.66
New London	xxxxxxxx	2.56	2.86
Henniker	xxxxxxxx	2.94	3.33
Newbury	xxxxxxxx	1.91	2.19
Franklin	xxxxxxxx	3.10	3.61
Bradford	xxxxxxxx	2.74	3.22
Chichester	xxxxxxxx	3.05	3.60
Hill	xxxxxxxx	2.70	3.20
Bow	xxxxxxxx	2.10	2.50
County	Av. 19.8%	2.89	3.46
Concord	xxxxxxxx	2.97	3.58
Sutton	xxxxxxxx	3.20	3.87
Hooksett	xxxxxxxx	3.00	3.63
Danbury	xxxxxxxx	3.00	3.65
Loudon	xxxxxxxx	3.60	4.41
Allenstown	xxxxxxxx	2.02	2.55
Warner	xxxxxxxx	3.15	4.02
Pembroke	xxxxxxxx	2.06	2.65
Wilmot	xxxxxxxx	3.63	4.73
Canterbury	xxxxxxxx	2.60	3.40
Webster	xxxxxxxx	2.52	3.30
Northfield	xxxxxxxx	3.37	4.59
Salisbury	xxxxxxxx	2.25	3.62
0 4 8 12 16 20 24 28 32 36 40 44 48 52 56 60		% Increase in Tax Rate	

PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN  
BEEN BORNE LOCALLY

*Rockingham County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Hampton	xxxxxx	3.25	3.47
Stratham	xxxxxxx	2.43	2.61
South Hampton	xxxxxxxx	2.60	2.82
Rye	xxxxxxx	2.56	2.78
North Hampton	xxxxxxxx	2.23	2.42
Brentwood	xxxxxxxxx	2.40	2.61
Windham	xxxxxxxxxx	2.72	3.00
Exeter	xxxxxxxxxx	2.50	2.76
Londonderry	xxxxxxxxxx	2.31	2.55
Hampton Falls	xxxxxxxxxxx	2.33	2.59
Newington	xxxxxxxxxxx	2.65	2.96
Northwood	xxxxxxxxxxxx	3.85	4.31
Auburn	xxxxxxxxxxxx	3.70	4.15
E. Kingston	xxxxxxxxxxxx	2.18	2.45
Atkinson	xxxxxxxxxxxx	2.86	3.22
Fremont	xxxxxxxxxxxx	2.50	2.82
Chester	xxxxxxxxxxxx	2.85	3.22
Nottingham	xxxxxxxxxxxx	3.30	3.73
Sandown	xxxxxxxxxxxx	3.15	3.58
Salem	xxxxxxxxxxxxx	3.70	4.22
Newmarket	xxxxxxxxxxxxx	3.90	4.46
Raymond	xxxxxxxxxxxxx	3.80	4.37
County	Av. 15.25%	2.89	3.33
Portsmouth	xxxxxxxxxxxxxxxx	2.84	3.33
Hampstead	xxxxxxxxxxxxxxxx	2.70	3.16
Kensington	xxxxxxxxxxxxxxxx	2.66	3.13
Deerfield	xxxxxxxxxxxxxxxx	2.90	3.46
Candia	xxxxxxxxxxxxxxxx	2.30	2.75
Newcastle	xxxxxxxxxxxxxxxx	2.10	2.52
Derry	xxxxxxxxxxxxxxxx	2.87	3.47
Newfields	xxxxxxxxxxxxxxxx	3.41	4.25
Greenland	xxxxxxxxxxxxxxxx	2.95	3.69
Danville	xxxxxxxxxxxxxxxx	3.35	4.23
Plaistow	xxxxxxxxxxxxxxxx	2.85	3.63
Seabrook	xxxxxxxxxxxxxxxx	2.85	3.76
Kingston	xxxxxxxxxxxxxxxx	3.58	4.82
Epping	xxxxxxxxxxxxxxxx	3.17	4.36
Newton	xxxxxxxxxxxxxxxx	3.05	4.25
0 4 8 12 16 20 24 28 32 36 40		% Increase in Tax Rate	



PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN  
BEEN BORNE LOCALLY

*Strafford County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
New Durham	xxxxxxx	3.00	3.23
Strafford	xxxxxxx	3.75	4.06
Durham	xxxxxxxxx	2.10	2.30
Milton	xxxxxxxxxxx	2.99	3.34
Middleton	xxxxxxxxxxx	4.00	4.49
Farmington	xxxxxxxxxxx	3.83	4.30
Madbury	xxxxxxxxxxx	2.20	2.48
Dover	xxxxxxxxxxx	3.08	3.48
Rollinsford	xxxxxxxxxxx	2.75	3.14
Barrington	xxxxxxxxxxx	2.86	3.31
Rochester	xxxxxxxxxxx	2.86	3.32
County	Av. 16.1%	3.03	3.52
Lee	xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	3.02	3.97
Somersworth	xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	3.30	4.40
0 4 8 12 16 20 24 28 32			
		% Increase in Tax Rate	

## PERCENT INCREASE IN TAX RATE, HAD 1934 RELIEF BURDEN BEEN BORNE LOCALLY

*Sullivan County Towns*

The analysis below is based on data furnished by the N. H. Emergency Relief Administration. E. and O.E., the statement demonstrates the variation existing in the relief burden as between towns.

		<i>Tax Rate</i>	
		<i>Actual</i>	<i>Increased</i>
Goshen	xxxxxxx	4.00	4.32
Sunapee	xxxxxxx	3.36	3.65
Lempster	xxxxxxx	4.41	4.82
Plainfield	xxxxxxx	3.15	3.51
Newport	xxxxxxx	3.45	3.86
Washington	xxxxxxx	3.20	3.60
Acworth	xxxxxxx	3.68	4.14
Langdon	xxxxxxx	2.80	3.15
Cornish	xxxxxxx	2.36	2.67
Springfield	xxxxxxx	3.40	3.86
Croydon	xxxxxxx	3.00	3.42
County	Av. 15.4%	3.14	3.62
Claremont	xxxxxxx	2.80	3.27
Charlestown	xxxxxxx	3.00	3.55
Grantham	xxxxxxx	3.25	3.91
Unity	xxxxxxx	4.19	7.10
	0 4 8 12 16 20 24 28 32 36 40 44 48 52 56 60 64 68	% Increase in Tax Rate	

## UNEMPLOYMENT RELIEF COMMITTEE

## FIELD OPERATIONS

<i>Name—Field Workers</i>	<i>Title</i>	<i>Month</i>	<i>Year</i>
Katherine P. Hewins	Assistant Director	\$225.00	\$2,700.00
George Forbush	Investigator	125.00	1,500.00
Mary Ann Mitchell	O.A.A. Investigator	150.00	1,800.00
Beatrice Warren	O.A.A. Investigator	110.00	1,320.00
Margaret Fox	Office Assistant	150.00	1,800.00
Harold McNeil	Statistician	125.00	1,500.00
Barbara Bell	Secretary	108.36	1,300.00
Katherine York	Supervisor	175.00	2,100.00
Ruth Sawyer	Investigator	125.00	1,500.00
Elna Perkins	Investigator	125.00	1,500.00
Marion Shaw	Supervisor	150.00	1,800.00
Roseland Tilden	Supervisor	125.00	1,500.00
Dorothy Whitton	Supervisor	175.00	2,100.00
Caroline Shupe	Office Assistant	125.00	1,500.00
Mary G. Streeter	Investigator	125.00	1,500.00
Armanda Leonardi	Supervisor	150.00	1,800.00
Olive M. Jaques	Supervisor	175.00	2,100.00
Veronica O. Wilder	Investigator	150.00	1,800.00
Kathleen Sharp	Investigator	125.00	1,500.00
Mary Mackay	Investigator	133.32	1,600.00
E. Frances O'Neill	Supervisor	225.00	2,700.00
Alison Clark	Asst. Supervisor	150.00	1,800.00
Dorothy Hackett	Asst. Supervisor	150.00	1,800.00
Mary DeRevere	Investigator	125.00	1,500.00
Antonette Barto	Investigator	125.00	1,500.00
Marion E. Black	Investigator	125.00	1,500.00
Edwina B. Pim	Investigator	125.00	1,500.00
Dorothy Chesley	Investigator	116.66	1,400.00
Myrtle Sampson	Investigator	110.00	1,320.00
Elizabeth B. Tower	Supervisor	200.00	2,400.00
Constance Allen	Investigator	125.00	1,500.00
Myra Silverthorn	Investigator	110.00	1,320.00
Caroline Wilson	Supervisor	175.00	2,100.00
Elizabeth Hawks	Investigator	125.00	1,500.00
Mary H. Head	Investigator	125.00	1,500.00
Mildred Wright	Investigator	110.00	1,320.00
Ruth Sumner	Investigator	110.00	1,320.00
Beatrice Bowler	Investigator	125.00	1,500.00
Eleanor Smith	Supervisor	150.00	1,800.00
Alison Agar	Investigator	125.00	1,500.00
Lillian Kazanowski	Investigator	125.00	1,500.00
Charlotte Farley	Investigator	125.00	1,500.00
Helen Mooney	Supervisor	150.00	1,800.00

<i>Name—Field Workers</i>	<i>Title</i>	<i>Month</i>	<i>Year</i>
Margaret Price	Supervisor	\$150.00	\$1,800.00
Bertha Rice	Investigator	125.00	1,500.00
Mildred Israel	Investigator	125.00	1,500.00

	<i>Monthly Rate</i>	<i>Total</i>
24 Employees @	\$100.00	\$2,400.00
8     "     "	86.66	693.28
3     "     "	85.00	255.00
8     "     "	80.00	640.00
9     "     "	78.00	702.00
1     "     "	75.83	75.83
3     "     "	75.00	225.00
65     "     under	75.00	4,005.94
28 Agents @	30.00 or under	510.00
7 Temporary Employees		54.20
Total Number of Employees 202	Total Monthly Payroll	\$15,944.59

## GENERAL WELFARE ADMINISTRATION

<i>Name</i>	<i>Title</i>	<i>Rate</i>	
		<i>Monthly</i>	<i>Yearly</i>
Abby L. Wilder	Director	\$333.33	\$4,000.00
John L. T. Shaw	Collector	200.00	2,400.00
Winthrop Parker	Work Relief Projects	150.00	1,800.00
Marie Blackwell	Chief Clerk	125.00	1,500.00
Archie Gourley	Chief Accountant	183.33	2,200.00
Wallace Chilson	Collector	108.33	1,300.00
George Vernal	Office Manager	108.33	1,300.00
John Callahan	Collector	108.33	1,300.00
Peter J. Agraftotis	Adjuster	108.33	1,300.00
Harry Arnold	Checking Clerk	108.33	1,300.00
Harlan Harris	Head of Department	108.33	1,300.00
Edgar Baker	Checking Clerk	108.33	1,300.00
Fred Wenzel	Checking Clerk	108.33	1,300.00
J. G. Nelson	Supervisor	200.00	2,400.00
Bert Fraser	Assistant Supervisor	130.00	1,560.00
William Bennett	Assistant Supervisor	130.00	1,560.00
12 Employees @	100.00	1,200.00	
1     "     "	95.00	95.00	
4     "     "	90.00	360.00	
1     "     "	85.00	85.00	
15     "     "	80.00	1,200.00	
5     "     "	75.00	375.00	
19     "     Under	75.00	1,135.00	
12 Temporary Employees		221.43	
85 Employees		\$6,989.73	

## STATE HOUSE RENOVATION

		<i>Monthly</i>	<i>Yearly</i>
A. J. Plourde	per hour \$1.00	\$149.00	
Ed. Blanchette	" " .85	108.80	
Fred Schrepfer	" " 1.00	108.20	
7 Employees		245.95	
<hr/>		<hr/>	
10 Employees		\$611.95	
Stephen B. Story, Fiscal Agent		\$416.67	\$5,000.00
Interstate Compacts			
Marion Evans		84.00	1,008.00
Unemployment Reserves			
Harlan L. Reyeroft		130.00	1,560.00
4 Temporary @ .50 per hour		46.13	
		<hr/>	
		176.13	
Cost of Living			
C. Spencer Platt		150.00	1,800.00
1 Employee @		80.00	
1 " "		65.00	
6 Temporary Employees		103.00	
		<hr/>	
		398.00	
Minimum Wage Office			
Ethel M. Johnson, Director		200.00	2,400.00
Grace Potter		150.00	1,800.00
Esther Nighswander		100.00	1,200.00
		<hr/>	
		450.00	
Public Works			
H. R. Leach		325.00	3,900.00
Joyce B. Dodge		66.66	
		<hr/>	
		391.66	
		<i>Weekly</i>	<i>Monthly</i>
E. N. Roberts		\$30.00	\$130.00
Arthur Faneuf		30.00	130.00
W. B. McAllister		40.00	173.00
Charles Hamlen		30.00	130.00
Gerald Clark		30.00	130.00
Edward Plourde		24.00	104.00
		<hr/>	
		\$797.00	



## ARTS &amp; CRAFTS FOR NOVEMBER, 1934

		<i>Rate</i>	<i>Paid for Month</i>
Frank A. Staples	Director	\$180.00	\$180.00
Verna M. Himes	Secretary	65.00	65.00
Margaret Durgin	Marketing Mgr.	100.00	100.00
*Ruth Hallen	Instructor	25.00 wk.	100.00
Helen Monroe	Instructor	22.50 "	90.00
Andrew Nicoll	Instructor	8.00 day	72.00
Florence Nesmith	Instructor	10.00 "	80.00
Leo Malm	Instructor	8.00 "	80.00
Total			\$767.00
* Instructors all part time.			

## PURCHASING STANDARDIZATION

Total Paid	
M. H. Bletz—Feb. 1 to Dec. 31, 1934	\$3,300.00

## RELIEF ADMINISTRATION

Showing Total Expenditures

Percentage of Administration to Total Expenditures

	<i>Fiscal Year Ending June 30, 1934</i>	<i>6 Months Ending Dec. 31, 1934</i>	<i>Total</i>
Administration	\$ 303,767.50	\$ 213,945.53	\$ 517,713.03
Pauper Aid	2,065,514.30	1,157,907.58	3,223,421.88
Old Age Assistance	262,776.79	164,012.25	426,789.04
Aid to Pauper Children	259,970.81	147,948.30	407,919.11
Aid to Needy Blind	23,908.21	13,160.35	37,068.56
Aid to Cancer Patients	2,827.51	4,937.56	7,765.07
Aid to Veterans	98,507.49	67,810.61	166,318.10
Reemployment Service	13,891.27	.....	13,891.27
Miscellaneous Relief	.....	3,816.18	3,816.18
Total	\$3,031,163.88	\$1,773,538.36	\$4,804,702.24
Percentage of Total Administration to Total Expenditures	10.02%	12.06%	10.77%

## SUMMARY OF EMPLOYEES NOVEMBER, 1934

	<i>Employees</i>	<i>Total Monthly Payroll</i>
General Administration	85	\$ 6,989.73
Field Operations	202	15,944.59
State House Renovations	10	611.95
Fiscal Agent	1	416.67
Interstate Compacts	1	84.00
Unemployment Reserves	5	176.13
Cost of Living	8	398.00
Minimum Wage	3	450.00
Public Works	2	391.66
Recreation	6	797.00
Total	323	\$26,259.73

## PAYMENTS TO C. I. DRAYTON, PERSONAL

<i>Pay Roll</i>		<i>Wages</i>	<i>Transportation</i>	<i>Meals</i>
1934				
July	5	\$269.00	\$27.72	\$7.95
"	17	422.25	17.64	5.70
Aug.	13	443.00	15.12	6.90
"	27	433.00	15.12	4.20
Sept.	10	553.00	27.72	8.15
"	24	603.00	18.16	5.15
Oct.	8	603.00	15.12	5.30
"	22	750.50	25.20	8.80
Nov.	5	863.25	22.68	8.10
"	19	1,191.25	20.16	7.00
Dec.	5	1,376.00	30.24	8.00
"	18	1,889.00	27.72	10.00
"	31	1,675.00	25.20	9.00
		\$11,071.25	\$287.80	\$94.25
Grand Total of Personal Payments July 1, 1934 to Dec. 31, 1934				\$11,453.30
Total Paid Drayton July 1 to Dec. 31, 1934				\$24,916.74
Agreement to Complete for				7,500.00
Total Cost Drayton Audit				\$32,416.74
To Apply on \$7,500 Contract of Jan. 1, 1935:				
Jan. 14	.....			\$3,732.49
Jan. 28	.....			3,354.95
				\$7,087.44
Balance due	.....			\$412.56

REPORT OF THE INVESTIGATING COMMITTEE ON ALL RELIEF COSTS FOR  
TOWNS AND COUNTIES FROM JULY 1, 1933 TO DECEMBER 31, 1934,  
ALSO AS COMPILED BY THE COMPTROLLER

ROCKINGHAM COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i> 1934	<i>Four Months</i> <i>Fiscal Year</i> 1935	<i>Total</i>
		1935	
Rockingham County	\$24,941.12	\$ 9,510.83	\$34,451.95
Portsmouth	10,086.87	3,830.42	13,917.29
Atkinson	169.87	63.85	233.72
Auburn	404.70	123.79	528.49
Brentwood	155.47	20.38	176.35
Candia	361.95	116.56	478.51
Chester	252.93	106.36	359.29
Danville	545.44	127.72	673.16
Deerfield	519.77	192.00	711.77
Derry	3,092.91	1,088.40	4,181.31
East Kingston	70.75	11.37	82.12
Epping	1,423.13	696.89	2,120.02
Exeter	1,674.41	492.92	2,167.33
Fremont	298.85	103.15	402.00
Greenland	440.35	155.36	596.21
Hampstead	476.40	245.42	721.82
Hampton	824.87	234.66	1,059.53
Hampton Falls	155.34	53.63	208.97
Kensington	194.24	61.97	256.21
Kingston	745.30	324.93	1,070.23
Londonderry	456.62	49.95	506.57
New Castle	303.57	144.65	448.22
Newfields	17.18	16.95	34.13
Newington	168.61	57.16	225.77
New Market	1,655.02	484.78	2,139.80
Newton	905.80	456.64	1,362.44
North Hampton	231.79	57.76	289.55
Northwood	482.50	158.21	640.71
Nottingham	311.09	103.24	414.33
Plaistow	822.38	452.94	1,275.32
Raymond	979.57	290.04	1,269.61
Rye	251.34	127.96	379.30
Salem	2,314.28	726.02	3,040.30
Sandown	128.76	66.34	195.10
Seabrook	1,354.53	434.25	1,788.78
South Hampton	147.57	23.50	171.07
Stratham	59.20	10.39	69.59
Windham	211.79	79.37	291.16
Charges undetermined as to settlement within the County . . . .		1.67	1.67
Totals	\$57,636.77	\$21,302.93	\$78,939.70

Above figures are 25% of total amount expended.

## STRAFFORD COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i> <i>1934</i>	<i>Four Months</i> <i>Fiscal Year</i>	<i>Total</i>
		<i>1935</i>	
Strafford County	\$15,803.16	\$7,267.92	\$23,071.08
Barrington	164.69	127.06	291.75
Dover	6,017.67	2,846.89	8,864.56
Durham	123.11	54.67	177.78
Farmington	1,492.72	470.74	1,963.46
Lee	89.52	182.21	271.73
Madbury	67.56	20.60	88.16
Middleton	101.88	3.04	98.84
Milton	502.18	266.98	769.16
New Durham	90.90	31.67	122.57
Rochester	6,576.73	2,097.10	8,673.83
Rollinsford	371.23	218.60	589.83
Somersworth	3,333.82	2,343.56	5,677.38
Strafford	332.50	107.49	439.99
Charges undetermined as to settlement within the County . . . .		190.18	190.18
Totals	\$35,067.67	\$15,842.27	\$50,909.94

Above figures are 25% of total amount expended.

## BELKNAP COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i> <i>1934</i>	<i>Four Months</i> <i>Fiscal Year</i>	<i>Total</i>
		<i>1935</i>	
Belknap County	\$32,258.51	\$13,954.11	\$46,212.62
Alton	753.45	430.54	1,183.99
Barnstead	726.83	255.59	982.42
Belmont	259.65	339.46	599.11
Center Harbor	162.86	64.68	227.54
Gilford	390.85	220.19	611.04
Gilmanton	510.34	216.64	726.98
Laconia	10,489.40	4,739.39	15,228.79
Meredith	1,831.58	384.99	2,216.57
New Hampton	320.97	292.38	613.35
Sanbornton	345.73	184.44	530.17
Tilton	2,409.71	888.39	3,298.10
Charges undetermined as to settlement within the County . . . .		67.41	67.41
Totals	\$50,459.88	\$22,038.21	\$72,498.09

Above figures are 25% of total amount expended.

## CARROLL COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Carroll County	\$9,060.00	\$4,046.63	\$13,106.63
Albany	151.56	176.76	328.32
Bartlett	1,438.02	196.39	1,241.63
Brookfield	109.24	29.38	138.62
Chatham	90.56	19.09	71.47
Conway	2,507.10	1,103.26	3,610.36
Eaton	154.68	61.09	215.77
Effingham	559.64	456.49	1,016.13
Freedom	557.67	172.04	729.71
Jackson	151.57	80.29	231.86
Madison	318.54	168.54	487.08
Moultonboro	675.47	213.69	889.16
Ossipee	2,003.50	961.03	2,964.53
Sandwich	286.10	72.60	358.70
Tamworth	689.46	371.61	1,061.07
Tuftonboro	100.44	60.70	161.14
Wakefield	1,466.70	480.39	1,947.09
Wolfeboro	2,087.01	954.20	3,041.21
Charges undetermined as to settlement within the County . . . .		30.75	30.75
Totals	\$22,407.26	\$9,223.97	\$31,631.23

Above figures are 25% of total amount expended.

## MERRIMACK COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Merrimack County	\$41,262.06	\$16,249.97	\$57,512.03
Concord	9,175.71	5,112.85	14,288.56
Franklin	3,166.45	1,361.16	4,527.61
Allentown	623.24	324.16	947.40
Andover	498.37	153.66	652.03
Boscawen	389.37	69.38	458.75
Bow	364.16	147.39	511.55
Bradford	393.26	116.15	509.41
Canterbury	320.61	97.78	418.39
Chichester	194.47	100.61	295.08
Danbury	320.75	43.07	363.82
Dunbarton	42.83	None	42.83
Epsom	333.82	144.52	478.34



<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Henniker	\$440.28	\$157.95	\$598.23
Hill	418.00	162.80	580.80
Hooksett	1,332.91	536.14	1,869.05
Hopkinton	341.36	117.01	458.37
Loudon	846.17	293.61	1,139.78
Newbury	223.93	81.48	305.41
New London	447.20	123.35	570.55
Northfield	2,236.14	747.22	2,983.36
Pembroke	1,515.25	531.67	2,046.92
Pittsfield	507.95	272.80	780.75
Salisbury	632.43	328.20	960.63
Sutton	432.54	208.83	641.37
Warner	1,331.57	588.58	1,920.15
Webster	349.10	215.83	564.93
Wilmot	380.75	269.30	650.05
Charges undetermined as to settlement within the County . . . .		152.27 cr.	152.27 cr.
<b>Totals</b>	<b>\$68,520.68</b>	<b>\$28,403.20</b>	<b>\$96,923.88</b>

Above figures are 25% of total amount expended.

## HILLSBORO COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Hillsboro County	\$153,746.62	\$72,167.67	\$225,914.29
Nashua	17,258.53	6,688.40	23,946.93
Manchester	42,583.64	19,935.17	62,518.81
Amherst	322.32	143.25	465.57
Antrim	342.95	120.97	463.92
Bedford	196.90	23.17	220.07
Bennington	199.04	205.41	404.45
Brookline	536.77	324.41	861.18
Deering	142.04	5.20 cr.	136.84
Francestown	73.01	42.13	115.14
Goffstown	1,412.58	675.58	2,088.16
Greenfield	187.43	174.08	361.51
Greenville	567.79	238.63	806.42
Hancock	368.33	116.01	484.34
Hillsboro	938.74	264.80	1,203.54
Hollis	637.05	62.46	699.51
Hudson	2,131.29	622.86	2,754.15
Litchfield	136.23	56.58	192.81

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Lyndebore	\$333.83	\$96.81	\$430.64
Mason	241.48	91.44	332.92
Merrimack	637.13	367.49	1,004.62
Milford	1,670.43	885.64	2,556.07
Mont Vernon	31.68	40.50	72.18
New Boston	384.49	117.40	501.89
New Ipswich	11.50	45.88	57.38
Pelham	378.12	241.46	619.58
Peterborough	933.84	585.98	1,519.82
Sharon	None	None	None
Temple	68.24	58.23	126.47
Weare	713.83	179.24	893.07
Wilton	741.76	156.91	898.67
Windsor	None	None	None
Charges undetermined as to settlement within the County . . . .		252.58	252.58
<b>Totals</b>	<b>\$227,927.59</b>	<b>\$104,975.94</b>	<b>\$332,903.53</b>

Above figures are 25% of total amount expended.

## CHESHIRE COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Cheshire County	\$15,858.11	\$6,225.12	\$22,083.23
Alstead	428.04	172.26	600.30
Chesterfield	205.91	122.24	328.15
Dublin	175.47	91.35	266.82
Fitzwilliam	402.37	163.52	565.89
Gilsum	218.03	69.60	287.63
Harrisville	168.04	47.00	215.04
Hinsdale	1,153.23	427.56	1,580.79
Jaffrey	1,112.13	368.36	1,480.49
Keene	8,248.01	2,603.98	10,851.99
Marlboro	385.83	95.74	481.57
Marlow	200.09	83.00	283.09
Nelson	3.24	48.93	52.17
Richmond	389.44	67.50	456.94
Rindge	353.76	106.02	459.78
Roxbury	.....	7.26	7.26
Stoddard	41.25	15.00	56.25
Sullivan	.....	.....	.....

<i>Unit</i>	<i>Fiscal Year</i> <i>1934</i>	<i>Four Months</i> <i>Fiscal Year</i> <i>1935</i>	<i>Total</i>
Surry	\$43.13	\$17.00	\$60.13
Swanzy	921.08	362.56	1,283.64
Troy	803.04	224.03	1,027.07
Walpole	835.97	290.25	1,126.22
Westmoreland	63.81	1.21	62.60
Winchester	1,470.12	401.43	1,871.55
Charges undetermined as to settlement within the County . . . .		65.50	65.50
<b>Totals</b>	<b>\$33,480.10</b>	<b>\$12,074.00</b>	<b>\$45,554.10</b>

Above figures are 25% of total amount expended.

## SULLIVAN COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i> <i>1934</i>	<i>Four Months</i> <i>Fiscal Year</i> <i>1935</i>	<i>Total</i>
Sullivan County	\$20,483.05	\$6,533.50	\$27,016.55
Acworth	76.97	97.49	174.46
Charlestown	1,283.56	228.16	1,511.72
Claremont	6,348.64	1,830.87	8,179.51
Cornish	108.92	28.83	137.75
Croydon	99.15	78.02	177.17
Goshen	49.89	4.00	53.89
Grantham	170.08	92.74	262.82
Langdon	35.90	16.25	52.15
Lempster	119.24	30.00	149.24
Newport	1,989.03	556.93	2,545.96
Plainfield	247.86	83.68	331.54
Springfield	140.74	59.16	199.90
Sunapee	25.00	66.97	91.97
Unity	363.96	106.08	470.04
Washington	58.13	68.76	126.89
Charges undetermined as to settlement within the County . . . .		4.69	4.69
<b>Totals</b>	<b>\$31,600.12</b>	<b>\$9,886.13</b>	<b>\$41,486.25</b>

Above figures are 25% of total amount expended.

## GRAFTON COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months</i>	<i>Total</i>
	<i>1934</i>	<i>Fiscal Year</i> <i>1935</i>	
Grafton County	\$26,001.57	\$18,650.49	\$44,652.06
Alexandria	79.59	55.56	135.15
Ashland	579.24	293.80	873.04
Bath	250.13	116.34	366.47
Benton	18.00	29.55	47.55
Bethlehem	129.16	87.88	217.04
Bridgewater	3.00	.75	3.75
Bristol	342.73	197.28	540.01
Campton	87.63	76.46	164.09
Canaan	318.28	248.54	566.82
Dorchester	39.00	13.00	52.00
Easton	.....	10.34	10.34
Ellsworth	13.14	46.64	59.78
Enfield	328.09	129.55	457.64
Franconia	156.39	97.39	253.78
Grafton	283.16	189.10	472.26
Hanover	1,084.46	313.77	1,398.23
Haverhill	1,919.22	567.05	2,486.27
Hebron	5.84	.....	5.84
Holderness	174.80	113.86	288.66
Landaff	152.53	77.77	230.30
Lebanon	4,810.36	1,699.97	6,510.33
Lincoln	493.94	147.70	641.64
Lisbon	1,420.17	411.65	1,831.82
Littleton	1,664.20	621.63	2,285.83
Lyman	126.06	54.40	180.46
Lyme	322.78	123.04	445.82
Monroe	414.24	153.08	567.32
Orange	1.50	6.13	7.63
Orford	510.23	119.92	630.15
Piermont	152.50	104.40	256.90
Plymouth	848.18	356.72	1,204.90
Rumney	377.48	211.21	588.69
Thornton	151.98	104.86	256.84
Warren	250.78	109.68	360.46
Wentworth	421.32	221.12	642.44
Woodstock	107.44	44.62	152.06
Charges undetermined as to settlement within the County .....		3.36	3.36
Totals	\$44,039.12	\$25,808.61	\$69,847.73

Above figures are 25% of total amount expended.

## COOS COUNTY AND TOWN CHARGES

<i>Unit</i>	<i>Fiscal Year</i>	<i>Four Months Fiscal Year</i>	<i>Total</i>
	<i>1934</i>	<i>1935</i>	
Coos County	\$29,273.05	\$12,404.30	\$41,677.35
Berlin	29,308.96	9,983.90	39,292.86
Carroll	38.57	41.72	80.29
Clarksville	32.25	7.25	39.50
Colebrook	615.47	246.23	861.70
Columbia	252.56	23.26	275.82
Dalton	188.03	131.33	319.36
Dummer	88.75	39.88	128.63
Errol	10.80	2.75	8.05
Gorham	1,348.51	538.91	1,887.42
Jefferson	477.53	149.99	627.52
Lancaster	704.97	273.47	978.44
Milan	14.06	12.78	26.84
Northumberland	1,250.56	628.63	1,879.19
Pittsburgh	429.79	56.95	486.74
Randolph	44.25	15.00	59.25
Shelbourne	16.25	.....	16.25
Stark	186.17	108.32	294.49
Stewartstown	411.64	186.62	598.26
Stratford	393.49	122.37	515.86
Whitefield	670.72	250.44	921.16
Charges undetermined as to settlement within the County ....		.46	.46

Totals \$65,756.38 \$25,218.14 \$90,974.88  
 Above figures are 25% of total amount expended.

## SUMMARY

## COUNTY AND TOWN CHARGES

<i>County</i>	<i>Towns and</i>		<i>Total</i>
	<i>Cities</i>	<i>Counties</i>	
Belknap	\$26,285.47	\$46,212.62	\$72,498.09
Carroll	18,524.60	13,106.63	31,631.23
Cheshire	23,470.87	22,083.23	45,554.10
Coos	49,297.53	41,677.35	90,974.88
Grafton	25,195.67	44,652.06	69,847.73
Hillsborough	106,989.24	225,914.29	332,903.53
Merrimack	39,411.85	57,512.03	96,923.88
Rockingham	44,487.75	34,451.95	78,939.70
Strafford	27,838.86	23,071.08	50,909.94
Sullivan	14,469.70	27,016.55	41,486.25
Total	\$375,971.54	\$535,697.79	\$911,669.33



The report was accepted.

On motion of Mr. Perley of Lebanon the report was ordered printed in the Journal.

The following letter was read by the Speaker.

MR. AMOS N. BLANDIN, *Speaker*

New Hampshire House of Representatives

State House

Concord, New Hampshire

*Honorable Sir:*

I respectfully petition you for the use of Representatives Hall for the purpose of holding a State-wide Federal Housing meeting at 7:30 o'clock on Monday evening, April 15, 1935.

With assurance of deep appreciation for your early consideration of this petition and advice concerning its disposition, I am

Cordially and sincerely yours,

EUGENE E. REED,

*State Director.*

On a *viva voce* vote the request was granted and the Clerk was instructed to notify Mr. Reed accordingly.

#### PRESENTATION

Mr. Hart of Wolfeboro on behalf of friends presented Representative Stephen W. Clow a traveling bag in commemoration of the eightieth anniversary of his birth.

On motion of Mr. Kearns of Manchester at 12 o'clock the House adjourned.

#### AFTERNOON

The House met at 3 o'clock.

#### THIRD READING

On motion of Mr. Callahan of Keene the rules were suspended and the third reading of bills by their titles made in order.

House Bill No. 280, An act relative to transfer of ownership of motor vehicles.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Roche of Keene at 3:04 o'clock the House adjourned.

---

WEDNESDAY, APRIL 3, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

LEAVE OF ABSENCE

Mr. Daly of Claremont was granted leave of absence for the week of April 2 on account of Federal jury duty.

COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 47, An act relative to filing declarations of candidacy and primary petitions and filling vacancies upon the party ticket after the primary.

House Bill No. 322, An act relating to town meetings in the town of Claremont.

House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds.

House Bill No. 391, An act relative to grants to towns for payments on account of direct relief.

The report was accepted.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said paragraph by striking out section 1 and inserting in place thereof the following:

1. *Motor Vehicle Registration Fees.* Amend paragraph III of section 1 of chapter 102 of the Public Laws, as amended

by chapter 94 of the laws of 1927, by adding at the end of said paragraph the following:

Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates, so that said paragraph as amended shall read as follows: III. For each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires except motor cycles and motor cycle side-cars, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand pounds and not exceeding six thousand pounds, forty-five cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds fifty cents per hundred pounds; exceeding eight thousand pounds, sixty cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty cents per hundred pounds shall be added to the above rates; provided, that the minimum fee as provided in this section shall be ten dollars for passenger vehicles and fifteen dollars for trucks. Tractors used for agricultural purposes only, tractors used for power purposes only that do not haul loads on the public highways, tractors used only on snow, and snowmobiles, shall pay one tenth of the above rates. Commercial vehicles or trucks used for agricultural purposes only and used on the public highways only between portions of the farm upon which said vehicle or truck is operated that are not more than two miles apart by the highway at the points of entering upon or leaving, shall pay one tenth of the above rates.

On a *viva voce* vote the amendment was adopted.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 51, An act authorizing reimbursements to the State laboratory of hy-

giene, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 376, An act relative to commitment to the State hospital, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 379, An act validating, ratifying, approving, and confirming bonds heretofore issued by the state and its political sub-divisions for public works projects, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 28, An act relating to real estate brokers and salesmen, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 140, An act relating to primary elections and nomination of candidates, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 265, An act relating to jurors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution.

On motion of Mr. McDonough of Dover the bill with the accompanying report was laid upon the table and made a special order for Wednesday, April 10, at 11:01 o'clock.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 267, An act relating to the selection of jurors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution.

On motion of Mr. McDonough of Dover the bill with the accompanying report was laid upon the table and made a special order for Wednesday, April 10, at 11:02 o'clock.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 126, An act relating to fees of sheriffs and deputies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 368, An act to change the name of Silver lake in the town of Madison



to Lake Madison, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 23, An act relating to the taking of salt water smelt, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rose of Portsmouth for the special committee consisting of the delegation from the city of Portsmouth to whom was referred House Bill No. 333, An act relating to the powers and duties of the police commissioner of the city of Portsmouth, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 2 the word all and substituting therefor the words, a majority of; further amend by striking out in lines 20, 21, 24 and 25 the words "or such less sum as said board of police commissioners may determine," so that said section as amended will read as follows:

1. The Board of Police Commissioners of the City of Portsmouth, by the affirmative vote of a majority of the members, may at the request of any member of the police department, or at the request of the Chief of Police, retire from service for one year any member of the Police Department, who, in the judgment of said Board has become disabled for useful service while in the actual performance of duty; or any member who has performed faithful service in the department for a period of not less than twenty consecutive years; and may grant a pension to such retired member for a period not exceeding one year at a time. No such member shall be granted a pension unless it shall be certified to the said board of police commissioners in writing by the city physician, that such member is permanently incapacitated either mentally or

physically from performing his duty as a member of the department. In case of total permanent disability caused in or induced by the actual performance of his duty, the amount of said pension shall be one-half of the annual compensation of the office from which he is so retired. The pension of a member who has served twenty or more consecutive years shall be one-half of the annual salary or compensation of the office from which he is retired.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

On motion of Mr. Henderson of Durham the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Leahy of Claremont asked for a division.

(Discussion ensued)

On motion of Mr. Leahy of Claremont the bill was laid upon the table and made a special order for Thursday, April 11, at 11:01 o'clock.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 306, An act to create a Fish and Game commission and to define its powers and duties, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Fisheries and Game, to whom was referred House Bill No. 306, An act to create a Fish and Game commission and to define its

powers and duties, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

HARRY A. GOODWIN,  
JERRY J. KEATING,  
GEORGE W. GARLAND,  
FOSTER G. WARREN,  
JOHN N. CLARK,  
EDWIN A. THOMAS,  
BERNADETTE E. CHAROIS,  
WILFRED A. RENEY,

*A minority of the Committee.*

Mr. Callahan of Keene moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill with the accompanying reports be laid upon the table and made a special order for Wednesday, April 10, at 11:03 o'clock, meanwhile the bill in its new draft to be printed.

On a *viva voce* vote the motion prevailed.

Mrs. Dondero of Portsmouth presented the following:

A matter of great importance has been brought to my attention. Several times we have been reminded of the birthdays of some of our members. Birthdays are very important, especially to those who celebrate them and their families. Another birthday has been added to the calendar.

We all know that Monday was April Fool's Day. Some people had pranks played on them, and some were quite considerate in not playing pranks on anyone. Among the latter is a young lady. This lady, in order not to play an April Fool's Day joke on her daddy, delayed her arrival by a few hours. I refer to the daughter who, with the assistance of that grand old bird, came at 4 o'clock yesterday morning to the home of William F. Mudge, representative from Northwood; and, Mr. Speaker, I move that the members extend their best wishes to the young lady and her illustrious father.

On a *viva voce* vote the suggestion was unanimously adopted.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 366, An act authorizing the town of Alexandria to issue refunding notes or bonds.

House Bill No. 391, An act relative to grants to towns for payments on account of direct relief.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 143, An act relating to municipal finances.

The message further announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate for further consideration, Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

On motion of Mr. Ahern of Concord the request was granted.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 144, An act regarding the weekly payment of wages.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Payment of Wages.* Amend section 25 of chapter 176 of the Public Laws by striking out said section and inserting in place thereof the following: 25. *Weekly.* Every person, firm or corporation engaged in the operation of a manufacturing, mechanical or mercantile establishment or in mining, quarrying or stonecutting, or in cutting, harvesting and driv-

ing pulpwood and timber, or in a railroad, telegraph, telephone, express or aqueduct business, or in the erection, alteration, repair, or removal of any building or structure or in the construction or repair of any railroad, road, bridge, sewer, gas, water or electric light works, pipes, or lines and every municipal corporation, employing more than ten persons at one time, shall pay the wages earned each week by employees who work by the day or week, within eight days, including Sunday, after the expiration of the week. Every such person, firm or corporation shall post on a form provided by the commissioner of labor a notice in a conspicuous place in his office that wages will be so paid, and shall keep the same so posted.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Amendment.* Amend section 28 of said chapter 176 by striking out said section and inserting in place thereof the following: 28. *Penalty.* Whoever wilfully violates any of the provisions of this subdivision shall be fined not more than twenty-five dollars for each offense provided that a prosecution therefor is begun within six months after the offense is committed, but not otherwise.

Further amend said bill by adding after section 2 the following new sections:

3. *Enforcement.* Amend said chapter 176 by adding after section 47, as inserted by chapter 130 of the Laws of 1933, the following new section: 48. *Commissioner of Labor.* It shall be the duty of the commissioner of labor to enforce the provisions of this chapter, provided that nothing in this section shall be construed as eliminating the right of any party aggrieved to make complaint for any violation thereof.

4. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendments sent down from the Honorable Senate.

On motion of Mr. Brouillette of Manchester the amendments were laid upon the table.



The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 42 (In new draft), An act in amendment of the charter of the city of Concord.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following: 1. The governor with advice and consent of the council immediately after the passage of this act, shall appoint three police commissioners who shall have been residents of said Concord at least five years immediately preceding the date of their appointment, one of whom shall hold office for two years from the date of his appointment, one for four years, and one for six years from said date, or until their successor is appointed and qualified; and biennially thereafter on or before the first day of March, the governor with advice and consent of the council shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner.

Amend section 2 of said bill by striking out the word "mayor" in the first line and inserting in place thereof the words, governor with advice and consent of the council, so that said section as amended shall read as follows: 2. The governor with advice and consent of the council shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following: 12. The commissioners shall make a detailed report of their doings quarterly to the mayor and aldermen of the city and annually to the governor and council in the month of December. The records of the commission shall at all times be open to the inspection of the governor, the mayor and the citizens of the city.

Amend section 16 of said bill by striking out the same and

inserting in place thereof the following: 16. *Takes Effect.* This act shall take effect upon its passage.

Mr. Coakley of Concord moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion of Mr. Coakley.

(Discussion ensued)

Mr. Saltmarsh of Concord moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Coakley.

Mr. Coakley of Concord asked for a division.

A division being taken 142 members voted in the affirmative and 185 members voted in the negative and the motion to concur did not prevail.

On motion of Mr. Ahern of Concord the House refused to concur and asked for a Committee on Conference.

The Speaker appointed as members on the part of the House Messrs. Ahern and Saltmarsh of Concord and Sander-son of Pittsfield.

#### SPECIAL ORDER

Mr. Davis of Conway called for the special order House Bill No. 132, An act for the regulation of small loans.

The question being,

Shall the report of minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

(Discussion ensued)

Mr. Cartier of Rochester moved the previous question.

The question being,

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

#### POINT OF ORDER

Mr. Callahan of Keene raised the point of order that he should be recognized as he was on the floor before the previous question was moved.

The Speaker ruled the point not well taken.

Mr. Keefe of Dover asked for a division.

A division being taken 275 members voted in the affirmative and 22 members voted in the negative and the motion to substitute prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed.

On motion of Mr. Keefe of Dover at 1:43 o'clock the House adjourned.

### AFTERNOON

The House was called to order at 3 o'clock.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects.

House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Lee of Concord at 3:10 o'clock the House adjourned.

THURSDAY, APRIL 4, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

The following letter from the Speaker was read:

Concord, N. H., April 4, 1935.

Mr. William J. Ahern,

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Thursday.

Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

#### LEAVES OF ABSENCE

Messrs. Bell of Berlin, Lavigne of Nashua and Carroll of Laconia were granted leave of absence for the day on account of important business.

Mr. Saltmarsh of Concord was granted leave of absence for the day on account of illness.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 81, An act providing for an extension of the act relative to the issuance with state guarantee of emergency notes and bonds by towns, cities and counties.

Senate Bill No. 4, An act relating to personal property mortgages and other instruments.

The report was accepted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 25, An act relating to confiscation of liquor in certain cases, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by adding after the word "liquor" the words, or beverages, so that said title as amended shall read as follows: An act relating to confiscation of liquor or beverages in certain cases.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Liquor and Beverages.* Amend chapter 3 of the Laws of the special session of 1934 by adding after section 31 the following new section: 31-a. *Forfeiture of.* Any person who is convicted of drunkenness, or of driving a motor vehicle under the influence of liquor, or of any violation of this act or of chapter 99, Laws of 1933, shall forfeit to the State of New Hampshire any liquor or beverages in his possession at the time of the commission of said offense, provided, that this provision shall not apply to liquor or beverages legally in his possession for the purpose of sale.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 371, An act relating to observance of the Lord's day, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being

Shall the bill be read a third time?

On motion of Mr. Leahy of Claremont the bill was laid upon the table and made a special order for Tuesday, April 9, at 11:01 o'clock.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 13,



An act relative to tax collectors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 22, An act eliminating the double payment of tax collectors already employed at a fixed salary, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 378, An act in relation to tax collectors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by adding at the end thereof the following: "and the expense shall be a charge upon the highway funds." so that said section as amended shall read as follows:

1. For the purpose of relieving the town of Alexandria of

the burden of caring for about two miles of the Sugar Loaf road bordering on Newfound lake in said town of Alexandria, the state of New Hampshire is hereby authorized and required to take over said section of road for the purpose of maintenance only and the expense shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 6, 7, and 8 the words: "No liability because of defects in construction, maintenance and repair shall hereafter attach to the town of Bristol or the state of New Hampshire." so that said section as amended shall read as follows:

1. *Highway Maintenance.* For the purpose of relieving the town of Bristol of the burden of repairing and maintaining the road located in Bristol between the Alexandria and Hebron town lines, estimated at about one-eighth of a mile, on the west shore of Newfound lake, the state of New Hampshire shall be responsible for the future care and maintenance of that road under the direction of the highway commissioner and the expense shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of twenty-five hundred dollars (\$2,500) for the year 1935 be and hereby is appropriated for the permanent improvement and completion of the Little Pond road leading from Sandwich, provided that the town of Sandwich furnish a like sum for the same year for the same purpose. It is further provided that if the town of Sandwich makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the road between Dalton and Whitefield in the town of Dalton provided that the town of Dalton appropriates the sum of one thousand dollars (\$1,000) for the same purpose for each of the said two years. It is provided further that if the town of Dalton makes the appropriation provided for herein and accepts the aid from

the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Hoyt of Sandwich further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of four thousand five hundred dollars (\$4,500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the road from Hillman's Corner, so called, to Pelham Center, in the town of Pelham, provided that the town of Pelham appropriates the sum of one thousand five hundred dollars (\$1,500) for each of the said two years, for the same purpose. It is further provided that if the town of Pelham makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4,



chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Hoyt of Sandwich the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 55, An act providing for the maintenance of the bridge over the Connecticut river from Dalton, New Hampshire to Lunenburg, Vermont, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 35, Joint resolution for the improvement of the road leading from Canaan Center to the Lyme-Dorchester road in the towns of Canaan and Lyme, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 43, Joint resolution for the improvement of a section of the Wellington road in the city of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 71, Joint resolution relating to bridge over Smith's river



between towns of Bristol and Hill, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 110, Joint resolution for the improvement of a road in Haverhill, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damages done by bears, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out in lines 8, 9, and 10 the words: "The governor is authorized to draw his warrant for the above sum out of any money in the treasury not otherwise appropriated." and inserting in place thereof the words: Said sum appropriated shall be a charge upon the fish and game fund. so that said resolution as amended shall read as follows:

That the sum of one thousand two hundred and eight dollars and twenty cents (\$1,208.20) be and hereby is appropriated to reimburse those persons who have presented claims to the fish and game department an account of live stock killed or damage done by bears. The persons entitled to reimbursement under this joint resolution are those whose claims have been investigated and been approved by the fish and game department as shown by documents on file in the office of the fish and game department entitled "Approved claims for live stock killed and damages done by bears, 1934." Said sum appropriated shall be a charge upon the fish and game fund.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 126, Joint resolution in favor of Royce Hutchins *et al*, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

On motion of Mr. Mitchell of Campton the joint resolution was recommitted to the Committee on Claims.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 100, An act relating to reduction in electrical rates in the State of New Hampshire, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sheehy of Newfields for the Committee on Judiciary, to whom was referred Senate Bill No. 15 (in new draft), An act to stimulate economic recovery by the encouragement of new building projects, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred Senate Bill No. 15 (In new draft), An act to stimulate economic recovery by the encouragement of new building projects, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM A. MOLLOY,

*A minority of the Committee.*

Mr. Molloy of Nashua moved that the report of the minor-

ity be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, April 16, at 11:01 o'clock.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 81, An act providing for an extension of the act relative to the issuance with State guarantee on emergency notes and bonds of towns, cities and counties.

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 350, An act relating to municipal water-works.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 357, An act relating to lotteries.

House Bill No. 123, An act to strengthen the law relating to standard time.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 356, An act authorizing the sale of certain property of the State.

Amend said bill section 1 by adding after the word "has" in the third line the words, acquired by escheat. Further amend said section 1 by striking out the words, "the title of

the state in and to the above described premises was acquired by escheat" in the eleventh and twelfth lines.

On motion of Mr. Emery of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

Amend section 10 of said bill by adding the following sentence at the end of said section: All fines shall be paid to the commissioner of agriculture by the justice or court imposing same, within ten days after their receipt and shall be used for the enforcement of the act, so that said section as amended shall read as follows: 10. *Penalty.* Any person violating any of the provisions of this act shall be fined not more than twenty-five dollars for the first offense and for each subsequent offense not more than one hundred dollars. All fines shall be paid to the commissioner of agriculture by the justice or court imposing same, within ten days after their receipt and shall be used for the enforcement of the act.

Further amend said bill by inserting after section 10 the following new section: 11. *Interpretation.* Nothing in this act shall be construed as interfering with the powers of the state board of health or with statutes relating to public health and sanitary inspection, production and distribution of food, whether under chapters 136, 137, 138 and 139 of the Public Laws and amendments thereto or otherwise.

On motion of Mr. Colburn of Newbury the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 355, An act relative to the operation of motor vehicles.

Amend the bill by inserting after the word, letters, in line nineteen the words, not less than, so that the bill as amended shall read as follows:

1. *Operation of Motor Vehicles.* Amend section 12 of chapter 10 of the Public Laws by adding after the word, "railway" in the second line the words, or a motor bus or other motor vehicle carrying school children, so that said section as amended shall read as follows: 12. *Street Cars; Motor Busses; Or Other Motor Vehicles.* The driver of a motor vehicle, approaching or passing a car of any street railway or passing a car of any street railway or a motor bus or other motor vehicle carrying school children which has been stopped to allow passengers to alight or embark, shall slow down such vehicle, and, if it be necessary for the safety of the public, shall bring it to a full stop. Motor busses or all other motor vehicles carrying school children should be plainly marked on the rear of such vehicles, in letters of not less than two inches in size.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 116, An act to provide for city, town, village districts and regional planning boards.

Amend section 18 of said bill by inserting after the word "membership" in line 19 the words in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or district so that said section as amended shall read as follows: 18. *Amendments to Official Map.* Council is authorized and empowered, whenever and as often as it may deem it advisable or necessary for the public interest, to change, or add to the official map of the municipality so as to



establish the exterior lines of the new streets, or parks, or to widen, extend, relocate, narrow, vacate, abandon, or close existing streets or parks; and the acceptance of, change of use, acquisition of land for, or sale or lease of any street or other public way, ground, place, property or structure. No change shall become effective until after a public hearing shall have been held in relation thereto, at which parties in interest and citizens shall have had an opportunity to be heard. At least fifteen days' notice of such a public hearing shall be published in a newspaper of general circulation in said municipality and by posting a notice to the same effect at the city or town hall, or in whatever place other notices required by law in connection with municipal affairs are posted or customarily displayed. Before making such addition, amendment or change, council shall refer the matter to the planning board for report thereon; but if the planning board shall not make its report within thirty days of such reference, it shall be deemed thereby to have forfeited the right further to suspend action. In the event that the planning board disapprove the proposed addition, amendment or change, council shall not have the right to overrule such decision, unless by vote of not less than two-thirds of its entire membership in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or district. Such additions, amendments, and changes then adopted shall become a part of the official map of the municipality, and shall be deemed to be final and conclusive with respect of the location of the streets and parks shown thereon. The locating, widening, narrowing, or closing, or the approval of locating, widening, narrowing or closing of streets and parks by the municipality under provisions of law other than those contained in this act shall be deemed to be a change or addition to the official map, and shall be subject to all the provisions of this act.

Further amend said bill by striking out all of section 25 and inserting in place thereof the following: 25. *Improvements in Unapproved Streets.* A municipality which has

established and recorded an official map, as provided in section 17 of this act, and has conferred upon a planning board platting jurisdiction in accordance with section 19 hereof, shall not thereafter accept, lay out, open, improve, grade, pave, or light any street, or lay or authorize the laying of water mains, sewers, connections, or other facilities or utilities in any street, within any portion of the municipality included in the official map, unless such street (a) shall have been accepted or opened as, or shall otherwise have received the legal status of a public street prior to the conferring of platting jurisdiction upon the planning board; or unless such street (b) correspond in its location and lines with a street shown on the official map or with a street shown on a subdivision plat approved by the planning board, or with a street on a street plat made by and adopted by the board. Council may, however, accept, locate, and construct any street not shown on or not corresponding with a street on the official map or on an approved subdivision plat or an approved street plat, provided the ordinance or other measure for the accepting, locating and construction of such street be first submitted to the planning board for its approval, and, if approved by the board, be approved by a majority vote of the entire membership of council, or, if disapproved by the planning board, be approved by not less than two-thirds of the entire membership of council in case of a city, or by majority vote of the legal voters present and voting at a regular or special town or district meeting in the case of a town or district. A street approved as provided in this section shall thereupon have the status of an approved street as fully as though it had been originally shown on the official map or on a subdivision plat approved by the planning board, or had been originally platted by the planning board.

Further amend said bill by striking out all of section 28 and inserting in place thereof the following: 28. *Duties of Register of Deeds.* A register of deeds of any county where plats of subdivisions shall be recorded as provided in section 20 hereof, who files or records a plat of a subdivision without the approval of a planning board where required by law shall

be deemed guilty of a misdemeanor and shall be fined not less than one hundred nor more than five hundred dollars.

Amend section 29 of said bill by striking out in line three the words "in this Title of this Act," and inserting in place thereof the word, herein.

Amend section 30 of said bill by striking out in lines six and seven the words "Title VI of this Act." and inserting in place thereof the words, the following subdivision.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 43, An act relative to brands for milk cans, cases, bottles, boxes, jars or jugs.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 43, An act relative to brands for milk cans, cases, bottles, boxes, jars or jugs.

The bill was read a first and second time and referred to the Committee on Agriculture.

Mr. Lewis of Littleton presented the following report: the Committee on Conference to whom was referred House Bill No. 65, An act relating to the Superior Court, having considered the same, recommend that the House of Representatives recede from its position of non-concurrence in the amendments to section 2 as proposed by the Senate and concur with the Senate in the adoption of that amendment; further recommend that the House of Representatives recede from its position of non-concurrence in the amendment to section 1 of said bill as proposed by the Senate and that the Senate recede from its position in adopting that amendment and that said House and Senate adopt the following amendment:

Amend section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

1. *Number of Justices Increased.* Amend Section 1 of Chapter 316 of the Public Laws as amended by Chapter 51 of the Laws of 1927 by striking out the word, "five," and inserting in place thereof the word, "seven," and by adding at the end of said section the following: No more than seven shall be assigned for regular sessions. One or more may be assigned by the chief justice to field work in any session as may be required, so that said section as amended shall read as follows:

1. *Justices.* The superior court shall consist of a chief justice and seven associate justices appointed and commissioned as prescribed by the constitution. No more than seven shall be assigned for regular sessions. One or more may be assigned by the chief justice to field work in any session as may be required.

DARWIN LOMBARD,  
JEREMIAH J. TOBIN,  
HERBERT S. LEWIS,  
CHARLES A. ALLEN,  
CARL MANOR,

*Conferees on the part of the House.*

JOHN P. CONDON,  
WILLIAM M. COLE,  
MAURICE G. WILEY,

*Conferees on the part of the Senate.*

The report was accepted.

The question being on the recommendations of the committee.

(Discussion ensued)

On motion of Mr. Lewis of Littleton the report was laid upon the table and made a special order for Tuesday, April 9, at 11:02 o'clock.

#### SPECIAL ORDER

Mr. Leahy of Claremont called for the special order House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

The question being

Shall the bill be read a third time? With a division pending.

On motion of Mr. Leahy of Claremont the bill was laid upon the table and made a special order for Tuesday, April 9, at 11:03 o'clock.

On motion of Mr. Callahan of Keene business in order at 3 o'clock was made in order at the present time.

#### THIRD READING

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

The third reading being in order Mr. Keefe of Dover moved that the bill be put back upon its second reading and re-committed to the Committee on Judiciary.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Kearns of Manchester at 12:00 o'clock the House adjourned.

---

#### FRIDAY, APRIL 5, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., April 5, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.



MONDAY, APRIL 8, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., April 8, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Ramsey of Colebrook at 7:31 o'clock  
the House adjourned.

TUESDAY, APRIL 9, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Mr. Getz of Manchester was granted leave of absence for the week on account of illness.

Mr. Soucy of Manchester was granted leave of absence for Wednesday, April 10, on account of important business.

## COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 270, An act relating to the practice of chiropody, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *The Practice of Chiropody.* Amend section 8 of chapter 208 of the Public Laws by striking out said section and inserting in place thereof the following: 8. *Licenses.* The

board shall issue the certificate of a licensed chiroprapist to whoever passes a satisfactory examination, and thereupon he shall have legal authority to treat by external medical, mechanical or electrical means, including bandaging and strapping, local ailments of the structures of the human foot, and to treat by surgical means local ailments of the superficial structures of the human foot. Said certificate shall not authorize the licensee to administer general anaesthetics or to perform amputation of the foot or toes. Licenses shall not be issued for a period exceeding one year, and shall be renewed as provided herein.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Nash of Concord the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim Lake Franklin Pierce, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Name Given.* A certain reservoir of water on the North Branch river in the towns of Antrim and Hillsborough, now know as the Jackman reservoir, is hereby named Lake Franklin Pierce.

On motion of Mr. Wilson of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 41 (In new draft), An act relative to building and loan associations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 365, An act relating to deposits of cash by savings banks, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of seventeen hundred and forty-four dollars and forty cents (\$1744.40) be allowed Clarence G. Harrington of Dublin for doctors and hospital bills due to injury received July 18, 1933, while employed on State-aid road construction in the town of Dublin and that the same be paid as follows: one hundred ninety-three dollars (\$193.00) payable to Peterborough hospital; four hundred dollars (\$400.00) to Dr. F. C. Sweeney; two hundred fifty dollars (\$250.00) to Dr. H. G. Lee; five dollars (\$5.00) to Dr. C. H. Jennings; and eight hundred ninety-six dollars and forty cents (\$896.40) to Clarence G. Harrington. The sum hereby appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 101, Joint

resolution in favor of Frank H. Whippie, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out in line one the words and figures "five thousand dollars (\$5,000.)" and inserting in place thereof the words and figures, two thousand dollars (\$2,000.) so that said resolution as amended shall read:

That the sum of two thousand dollars (\$2,000.) be and hereby is allowed Frank H. Whippie of Stoddard for injuries incurred by him while working on the State road in the town of Stoddard in the year 1933. The sum hereby appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 119, Joint resolution in favor of Nora Gillespie of Hooksett, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 128, Joint resolution in favor of Michael Masserelli, Rose Masserelli and Rose Spiegel, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 68, An act to encourage State and national industrial recovery, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary,

to whom was referred House Bill No. 175, An act providing for assistance to aged and dependent persons. Chapter 165, Laws of 1931, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 193, An act relating to old age assistance, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

On a *viva voce* vote the resolution was not adopted.

Mr. Lambert of Manchester moved that the rules be suspended and the bill made in order for a third reading at the present time but subsequently withdrew his motion.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 257, An act relating to charges by electric light companies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 394, An act relating to work relief, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Perley of Lebanon moved that the rules be suspended and the printing of the bill and its reference to a committee



be dispensed with and the bill made in order for a third reading at the present time.

The question being on the motion of Mr. Perley.

On a *viva voce* vote the chair was in doubt.

Mr. Perley asked for a division.

(Discussion ensued)

Mr. Lambert of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Perley.

A division being taken the vote was declared to be manifestly in the negative.

The bill was then laid upon the table to be printed and referred to the Committee on Judiciary.

#### RESOLUTIONS

On motion of Mr. Etsler of Claremont.

*Resolved*, That the Clerk be authorized to procure 100 extra copies of the Journal for Tuesday, April 9.

On motion of Mr. Leahy of Claremont.

WHEREAS, This House has learned with sorrow of the death of a former member, Hon. William F. Whitcomb of Claremont, therefore be it

*Resolved*, That the Speaker appoint a committee of three to draw up suitable resolutions expressing the sympathy of the members to the bereaved family.

The Speaker appointed as members of such committee Messrs. Leahy, Etsler, and Thomas of Claremont.

On motion of Mr. Estabrook of Alstead:

WHEREAS, This House has learned with sorrow of the death of Mrs. Marion Smith, daughter of Julius H. Firmin, Representative from Fitzwilliam, therefore be it

*Resolved*, That the Speaker appoint a committee of three to draw up appropriate resolutions expressing the sympathy of the members to Mr. Firmin in his bereavement.

The Speaker appointed as members of such committee Messrs. Estabrook of Alstead, Appleton of Dublin, and Bullock of Richmond.

On motion of Mr. Reardon of Boscawen the Clerk was instructed to procure 200 copies of Senate Bill No. 42, An act relative to Penacook Union School District.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 337, An act making appropriation for Hampton river jetties.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

The message further announced that the Senate had reconsidered its vote whereby it refused to concur with the House of Representatives in the passage of the following entitled bill, and concur in the passage of House Bill No. 143, An act relating to municipal finances.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 24 (In new draft), An act relating to safety glass on motor vehicles.

Senate Bill No. 40, An act relating to a minimum wage for women and minors.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

#### SENATE BILLS AND JOINT RESOLUTIONS READ AND REFERRED

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

The joint resolution was read a first and second time.

On motion of Mr. Sullivan of Manchester the rules were suspended, the printing of the joint resolution and its reference to a committee dispensed with and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 24 (in new draft), An act relating to safety glass on motor vehicles.

The bill was read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 40, An act relating to a minimum wage for women and minors.

The bill was read a first and second time and referred to the Committee on Labor.

#### SPECIAL ORDERS

Mr. Ahern of Concord called for the special order House Bill No. 371, An act relating to observance of the Lord's Day.

The question being

Shall the bill be read a third time?

On a *viva voce* vote the Chair was in doubt.

Mr. Molloy of Nashua asked for a division. .

(Discussion ensued)

A division being taken 162 members voted in the affirma-

tive and 179 members voted in the negative and the bill was denied a third reading.

Mr. Gage of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Kearns of Manchester called for the special order, the report of the Committee of Conference upon House Bill No. 65, An act relating to the superior court.

The question being on the report of the committee.

Mr. Cilley of Exeter moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Cilley.

(Discussion ensued)

Mr. Callahan of Keene raised the point of order that the member speaking had already spoken once.

The Speaker ruled the point well taken.

Mr. Smart of Tilton moved the previous question.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Wadleigh of Milford asked for a division.

A division being taken 214 members voted in the affirmative and 108 members voted in the negative, and the bill was indefinitely postponed.

Mr. Keefe of Dover called for the special order House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

The question being

Shall the bill be read a third time with a division pending?

On motion of Mr. Keefe of Dover the bill was put back upon its second reading.

Mr. Keefe offered the following amendments:

Amend section 3 of said bill by adding after the word "thereafter", the words, the members of said board shall serve without compensation, so that said section, as amended, shall read as follows: 3. *Land Use Board*. There is hereby established a land use board consisting of five members, no more than three of whom shall be of the same political party,

who shall be appointed by the Governor, with the advice and consent of the Council. The terms of the members of such board shall be for one, two, three, four and five years, respectively, in the order of their appointment, and for five years thereafter. The members of said board shall serve without compensation. The Governor, with the advice and consent of the Council, shall appoint and commission one member as chairman and a second member as secretary of the board. Said board shall establish reasonable rules of procedure, and shall keep written records.

Amend section 8 of said bill by striking out the last sentence thereof so that said section as amended shall read as follows: 8. *Eminent Domain*. No owner of land which the United States proposes to acquire under the terms of this act shall be required to sell by institution of proceedings for condemnation of such land; but when a landowner shall have agreed to sell to the United States, and agreement is had upon the sale price, proceedings for condemnation may be instituted for the sole purpose of clearing title to said land.

The question being on the amendments.

(Discussion ensued)

On a *viva voce* vote the amendments were adopted.

Mr. Mitchell of Campton moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Mitchell.

(Discussion ensued)

On motion of Mr. Keefe of Dover at 1:35 o'clock the House took a recess until 2:55 o'clock.

(After recess)

The consideration of House Bill No. 163, An act granting consent to the acquisition of land by the United States of America, was resumed.

(Mr. Ahern of Concord in the Chair)

Speaker Blandin requested that as a question of personal privilege he be allowed to speak on the subject.

By a unanimous vote the request was granted.

(Discussion ensued)

(The Speaker in the Chair)



Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

The bill was then ordered to a third reading.

On motion of Mr. Ahern of Concord the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Ahern of Concord at 3:40 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

### THIRD READINGS

On motion of Mr. Kearns of Manchester the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 365, An act relating to deposits of cash by savings banks.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Kearns of Manchester at 3:42 o'clock the House adjourned.

---

WEDNESDAY, APRIL 10, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

(Mr. Ahern of Concord in the Chair)

## PETITION PRESENTED AND REFERRED

By Mr. Hancock of Milan petition of citizens of Berlin favoring the passage of House Bills No. 305 and 306.

Presented and referred to the Committee on Fisheries and Game.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 133, An act relating to injunctions in labor disputes.

House Bill No. 143, An act relating to municipal finances.

House Bill No. 319, An act relative to registration fees for trucks used for agricultural purposes.

House Bill No. 331, An act relating to kidnapping.

House Bill No. 337, An act making appropriation for Hampton river jetties.

House Bill No. 350, An act relating to municipal water-works.

House Bill No. 356, An act authorizing the sale of certain property of the State.

House Bill No. 385, An act legalizing the proceedings of the school district meeting in the town of Washington.

Senate Joint Resolution No. 13, Joint resolution for the benefit of the cotton textile industry in New Hampshire.

House Bill No. 72, An act relative to recount of ballots after an election.

House Bill No. 94, An act relating to motor vehicle trailers.

House Bill No. 116, An act to provide for city, town, village, district and regional planning boards.

The report was accepted.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 1 and inserting in place thereof the following: 1. *Liquor and Beverages.* Amend chapter 3 of the Laws of the special session of 1934 by adding after section 31 the following new section: 31-a. *Forfeiture of.* Any person who is convicted of drunkenness, or of driving a motor vehicle under the influence of liquor, or of any violation of this act or of chapter 99, Laws of 1933, shall forfeit to the State of New Hampshire any liquor or beverages upon his person, or in said vehicle, if any, at the time of the commission of said offense, provided that this provision shall not apply to liquor or beverages legally in his possession for the purpose of sale.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 301 (In new draft), An act relating to the Public Service Commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 387, An act relating to the practice of optometry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 206 (in new title and new draft), An act relating to state, county and municipal contracts, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out in line 17 the words, clearly burdensome, and inserting in place thereof the words, equal to or in excess of five hundred dollars, so that said section as amended will read as follows:

2. *Preference.* In the award of any contract by any state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state shall be preferred except where the added cost from such preference would be equal to or in excess of five hundred dollars. The decision of the state, county or municipal agency upon this issue shall be final.

The report was accepted.

The question being on the amendment.

On motion of Mr. Brouillette of Manchester the bill was recommitted to the Committee on Labor.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 328, An act relating to private employment agencies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 377, An act relating to the New Hampshire State employment service, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Kittredge of Portsmouth for the Committee on Judiciary, to whom was referred Senate Bill No. 16, An act relating to transfer credits for motor vehicle permit fees, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 237, An act relat-

ing to operation of motor vehicles in this State by non-residents, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 364, An act to assist in reducing unemployment by facilitating the condemnation of land necessary for public works projects, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 370, An act relating to chain stores, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 392, An act defining and relating to narcotic drugs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 118, An act relative to state employment, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 141, An act relative to labor for highway work, reported the same with the following resolution:



*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 327, An act relating to the New Hampshire State employment service, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Joint Resolution No. 117, Joint resolution relating to an appropriation for the aid of the State and communities to be affected by future curtailment or abandonment of rail service and facilities, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 107, An act relating to proceedings on certiorari, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 107, An act relating to proceedings on certiorari, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

JOHN J. O'REILLY, JR.,  
ALBERT D. LEAHY,  
DIXON F. VANCORE,  
ALLEN M. FREEMAN,  
ALLAN M. WILSON,  
KENNETH F. GRAF,

*A minority of the Committee.*

Mr. Leahy of Claremont moved that the report of the mi-

nority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, April 16, at 11:02 o'clock.

Mr. Bergholtz of Manchester for the Committee on Transportation, to whom was referred House Bill No. 208, An act relating to the license fees for registration of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Transportation, to whom was referred House Bill No. 208, An act relating to the license fees for registration of motor vehicles, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

THOMAS J. McNAMARA,  
GERTRUDE N. HOWISON,  
PHILIAS J. CHABOT,  
CHARLES E. MAGOON,  
JOHN P. JORDAN,  
EDWARD GORDON,  
JOHN P. DEMPSEY,  
J. FELIX DANIEL,

*A minority of the Committee.*

Mrs. Howison of Milford moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. Neal of Meredith asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions, sent up from the House of Representatives:

House Bill No. 346, An act providing for an excess tax on margarine made from imported oils and fats.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the State planning and development commission.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 66, An act in relation to tax collectors.

Amend said bill by striking out the first two sections and inserting in place thereof the following:

1. *Tax Collectors.* Amend chapter 47 of the Public Laws by adding after section 31 the following new section: 31-a. *Supervision by Tax Commission.* The tax commission shall have and exercise general supervision over all tax collectors in the performance of their duties to the end that the laws relating to the collection of taxes may be properly administered.

2. *Removal from Office.* Amend chapter 47 of the Public Laws by adding after section 31-a, as inserted by this act the following new section: 31-b. *Notice to Selectmen.* Whenever as the result of an audit or examination by the tax commission or its authorized agents of the accounts of a tax collector said accounts are found to be irregular the tax commission may cause the removal of said tax collector by

notice to the selectmen that the office is vacant. Upon receipt of such notice the selectmen shall appoint a suitable tax collector within ten days. Said selectmen shall issue a warrant to said appointee to collect the remainder of such taxes as have been uncollected by the collector who has been removed from office. Said appointee shall give bond, possess the powers, perform the duties and be paid as other collectors.

The reading of the amendment having commenced on motion of Mr. Wilson of Manchester the further reading was dispensed with.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the 11th day of April, 1934, and authorizing the precinct to issue bonds to fund or refund its indebtedness as represented by notes.

Amend section 1 of said bill by striking out the words and figures "of New Hampshire, 1926," in the sixth and seventh lines.

Amend section 2 of said bill by striking out the words and figures, "of New Hampshire, 1926" in the third line.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

Amend section 1 of said bill by adding at the end of said section the following words, which had been recorded in said registry during the preceding tax year.

Amend section 4 of said bill by adding after the word "preceding" in the fifth line the word, tax.

On motion of Mr. Wilson of Manchester the House con-

curred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following joint resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

The joint resolution was read a first and second time and referred to the Committee on Claims.

RESOLUTIONS

Mr. Leahy of Claremont offered the following resolution:

WHEREAS, The House of Representatives has learned with deep sorrow of the death of Hon. William F. Whitcomb, former representative from Claremont; therefore, be it

*Resolved*, That the members extend their heartfelt sympathy to his family in their bereavement; and

*Be it further resolved*, That the Clerk transmit a copy of these resolutions to the bereaved family.

ALBERT D. LEAHY,  
CLARENCE B. ETSLER,  
EDWIN A. THOMAS,  
*Committee on Resolutions.*

On a *viva voce* vote the resolution was adopted.

Mr. Van Vliet of Manchester offered the following resolution:

WHEREAS, The New Hampshire House of Representatives has learned with sorrow of the death of John Barry, of Manchester, former member of this House; therefore

*Be it resolved*, That the House extend to his family its deep sympathy in their bereavement; and



*Be it further resolved,* That the Clerk transmit a copy of these resolutions to Mr. Barry's family.

HENRY VAN VLIET,  
ELMER D. ROUKEY,  
FRANK H. SWEENEY,  
*Committee on Resolutions.*

On a *viva voce* vote the resolution was adopted.

Mr. Estabrook of Alstead offered the following resolution:

WHEREAS, The House of Representatives has learned with sorrow of the death of Mrs. Marion Smith, daughter of Julius H. Firmin, Representative from Fitzwilliam; therefore

*Be it resolved,* That the members extend their heartfelt sympathy to the bereaved father; and

*Be it further resolved,* That the Clerk transmit to him a copy of these resolutions.

H. LEROY ESTABROOK,  
ARTHUR T. APPLETON,  
STEPHEN A. BULLOCK,  
*Committee on Resolutions.*

On a *viva voce* vote the resolution was adopted.

Mr. Simpson of Bartlett offered the following resolution:

WHEREAS, This House has learned with deep sorrow of the death of Lucius Hamlin of Bartlett, a former member of the House of Representatives for three terms,

*Resolved,* That the Speaker appoint a committee of three to draw up suitable resolutions on his death to be sent to the bereaved family.

*Further resolved,* That when the House adjourns today it be in tribute to Mr. Hamlin.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed the following as members of such committee: Messrs. Simpson of Bartlett, Clow of Wolfboro and Hoyt of Sandwich.

#### SPECIAL ORDERS

Mr. McDonough of Dover called for the special order House Bill No. 265, An act relating to jurors.

The question being on the resolution reported by the Committee on Judiciary that it is inexpedient to legislate.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. McDonough of Dover asked for a division.

A division being taken 235 members voted in the affirmative and 33 members voted in the negative and the resolution was adopted.

Mr. Kearns of Manchester called for the special order, House Bill No. 267, An act relating to the selection of jurors.

The question being on the resolution reported by the Committee on Judiciary that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford at 1:00 o'clock the House took a recess until 1:55 o'clock.

(After recess)

The Speaker in the Chair

#### RESOLUTION

Mr. Keefe of Dover offered the following resolution:

WHEREAS, It appears that all necessary legislative work may be easily accomplished by Friday, May 3, instant, therefore be it

*Resolved*, By the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to final adjournment on Friday, May 3, instant, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the Legislature, with the exception of such as have been referred to the next session of the Legislature, be indefinitely postponed.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

#### SPECIAL ORDER

Mr. Ahern of Concord called for the special order House Bill No. 306, An act creating a fish and game commission and defining its powers and duties.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass in a new draft.

(Discussion ensued)

Mrs. Mason of Berlin moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. Callahan of Keene asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

Mr. Guay of Laconia moved that the rules be suspended and the bill read a third time by its title at the present time.

The question being on the motion of Mr. Guay.

Mr. Callahan of Keene demanded the yeas and nays but subsequently withdrew his demand.

Mr. Guay of Laconia withdrew his motion.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Keefe of Dover at 3:30 o'clock the House adjourned.

#### AFTERNOON

The House was immediately called to order in afternoon session.

#### THIRD READINGS

On motion of Mr. Osborne of Sunapee the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.

House Bill No. 328, An act relating to private employment agencies.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Keefe of Dover at 3:36 o'clock the House adjourned.

---

#### THURSDAY, APRIL 11, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

Mr. Ahern of Concord in the Chair

#### LEAVE OF ABSENCE

Mr. Weston of Milford was granted leave of absence for the day, on account of important business.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet on Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

#### COMMITTEE REPORTS

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 323, An act in relation to investments by guardians, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Little of Hampstead for the Committee on Towns and Counties, to whom was referred House Bill No. 347, An act relating to town trustees of trust funds, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend by adding after section 1 a new section as follows:  
2. *Trustees.* Amend Section 27 of Chapter 42 of the Public Laws by striking out said section and inserting in place thereof the following: 27. *Bond.* Each trustee shall give a bond of a reputable surety company to the town, which bond shall be in such sum and with such conditions as the selectmen may prescribe and the premium on such bond shall be paid by the town. The expense of said trustee and the expense of their bonds shall be charged as incidental town charges.

Further amend by renumbering Section 2 to read Section 3.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 130, Joint resolution in favor of Henry Boulanger, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 139, Joint resolution in favor of Ernest W. Morgan, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.



Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 140, Joint resolution in favor of Leroy H. Locke, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 141, Joint resolution in favor of Ernest E. Whitcomb, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 195, An act relating to licenses for sanitarium, reported the same with the following resolution:

*Resolved*, That the introducer of this bill be given leave to withdraw the bill.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 341, An act relating to aid for the blind, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Little of Hampstead for the Committee on Towns and Counties, to whom was referred House Bill No. 52, An act annexing certain islands in Lake Winnepesaukee to the town of Meredith, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Abbott of Derry for the Committee on Claims, to whom was referred House Joint Resolution No. 126, Joint resolution in favor of Royce Hutchins et al., reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Claims, to whom was referred House Joint Resolution No. 126, Joint resolution in favor of Royce Hutchins et al., being unable to agree with the majority, reported the same with the recommendation that the joint resolution ought to pass.

ALCIDE COURTEMANCHE,  
GEORGE A. MAXHAM,  
FRED G. HUNTLEY,  
FRED H. PIPER,  
RODOLPH CORMIER,

*A minority of the Committee.*

Mr. Mitchell of Campton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Mitchell.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 395, An act relating to municipal courts, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 396, An act relating to steam boilers, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 397, An act relating to the New Hampshire-Vermont boundary, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 398, An act relating to the perambulation of New Hampshire-Vermont boundary, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted.

On motion of Mr. Thayer of Epping the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Davis of Conway the bill was referred to the Committee on Labor.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 401, An act relating to town meetings in the town of Bethlehem, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted.

On motion of Mr. Neal of Meredith the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 403, An act to regulate the traffic in intoxicating liquor, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 404, An act authorizing the town of Grafton to issue refunding notes or bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted.

On motion of Mr. Keefe of Dover the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 405, An act relating to license fees for foreign bakers distributing bread and other bakery goods within the State, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 406, An act relating to redemption of land sold for taxes, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 407, An act relating to probate appeals, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 408, An act relative to the New Hampshire Universalist State convention, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted.

Mr. Wilson of Manchester moved that the rules be suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.



The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 409, An act to prevent fraud, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution

No. 148, Joint resolution for a hospital at the State prison, with the recommendation that the joint resolution be referred to the Committee on State Prison.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on State Prison.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled joint resolution, House Joint Resolution No. 149, Joint resolution relating to an investigation of gas and electric rates, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 150, Joint resolution in favor of Henry Corran, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 379, An act validating, ratifying, approving and confirming bonds heretofore issued by the State and its political subdivisions for public works projects.

House Bill No. 384, An act relative to the management of the water works in the town of Peterborough.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

House Bill No. 270, An act relating to the practice of chiropody.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House joint resolution, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the Governor's contingent fund.

Amend said resolution by striking out the words "a warrant" in the eighth line and inserting in place thereof the words, his warrant for said sum.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 162, An act relating to foreign insurance companies and their agents.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Foreign Insurance Companies.* Amend section 18 of chapter 275 of the Public Laws, as amended by section 1, chapter 95, Laws of 1927, by striking out said section and inserting in place thereof the following: 18. *Insuring Through Agents.* Foreign insurance or surety companies, although authorized to transact business within this state, shall only make, write, place or cause to be made, written or placed, policies or contracts of insurance or suretyship which are to be effective within this state, through agents who are resi-

dents of this state and who are regularly commissioned and licensed to transact business herein.

2. *Companies Not Licensed to do Business in this State.* Amend said chapter 275 by adding after section 18 the following new sections: 18-a. *Purchase of Policy From.* Whenever any person residing within this state, or any corporation incorporated under the laws thereof, or any foreign corporation authorized to do business herein, shall purchase a policy or contract of insurance or suretyship from a company not licensed as required by the laws of this state, and which is to be effective on property, rights or risks within this state, unless such policy or contract of insurance or suretyship shall have been wholly made outside this state, or by mail, and not as the result of personal solicitation by any agent of such unlicensed company, or by the act of any other person performed within this state and unless the execution of such contract shall be contemplated to occur wholly without this state, including payment of premiums and adjustment and payment of loss, he or it shall forthwith report such purchase in detail to the insurance commissioner, and shall pay to the state treasurer an amount equal to four per centum of the gross premium paid for such policy or contract. In case of the failure to make the said report within thirty days from the date of the purchase of such policy or contract, instead of four per centum the purchaser shall pay to the state treasurer an amount equal to eight per centum of the gross premium and the state treasurer may recover the same in any court of competent jurisdiction. 18-b. *Adjustment.* No adjustment with the policy or contract holder for a loss under any policy or contract where a payment to the state treasurer is required under the provisions of the preceding section shall be made unless and until the adjuster thereof shall have paid to the state treasurer one-half of one per cent of such adjustment, and the state treasurer may recover the same either from the adjuster or from the policy or contract holder in any court of competent jurisdiction. 18-c. *Penalty.* Any person or corporation, other than a purchaser of a policy or contract of insurance or suretyship, violating or failing to comply with



any of the provisions of sections 18, 18-a or 18-b shall be fined not more than five hundred dollars or imprisoned not more than six months or both. If a purchaser of a policy or contract of insurance or suretyship shall wilfully violate or fail to comply with any of said provisions he shall be subject to the penalties prescribed herein. 18-d. *Examination of Records.* The insurance commissioner, or his duly authorized agent or agents, shall at all reasonable times have access to the books and records of any person residing, or any corporation doing business, within this state, for the purpose of ascertaining whether any of the provisions of sections 18, 18-a or 18-b have been violated, and upon application of the attorney general, at the request of said commissioner, the superior court shall have jurisdiction to issue writs of mandamus commanding any person or corporation so to exhibit his or its books or records for such examination. No person shall be excused from exhibiting his books or records for the reason that he may thereby incriminate himself; but no such books or records so exhibited shall, in any prosecution, be used as evidence, either directly or indirectly, against him nor shall he be thereafter prosecuted for any offense disclosed by such exhibition of his books or records.

Further amend said bill by renumbering section 2 to section 3.

On motion of Mr. Callahan of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 11, An act relating to the settlement of paupers.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 11, An act relating to the settlement of paupers.



The bill was read a first and second time and referred to the Committee on Judiciary.

## RESOLUTIONS

On motion of Mr. Cote of Manchester:

*Resolved*, That the order whereby Senate Bill No. 15 (In new draft), An act to stimulate economic recovery by the encouragement of new building projects, was made a special order for Tuesday, April 16, at 11:01 o'clock be vacated and the bill be made a special order for Wednesday, April 17, at 11:01 o'clock.

Mr. Stevenson of Exeter offered the following resolution:

*Resolved*, That the Committee on Rules be instructed not to introduce any more bills or joint resolutions except those requested by the Governor.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Callahan of Keene business in order at 3 o'clock was made in order at the present time.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 323, An act in relation to investments by guardians.

House Bill No. 347, An act relating to town trustees of trust funds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield at 12:06 o'clock the House adjourned.

---

FRIDAY, APRIL 12, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk.

Bath, N. H., April 12, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the  
House adjourned.

---

MONDAY, APRIL 15, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., April 15, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

On motion of Mr. Smart of Tilton at 7:31 o'clock the House  
adjourned.

---

TUESDAY, APRIL 16, 1935

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVE OF ABSENCE

Mr. Beane of Laconia was granted leave of absence for the  
day on account of important business.

## COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 270, An act relating to the practice of chiropody.

House Bill No. 379, An act validating, ratifying, approving, and confirming bonds heretofore issued by the State and its political subdivisions for public works projects.

House Bill No. 384, An act relative to the management of the water-works in the town of Peterborough.

Senate Bill No. 5, An act naming a certain body of water in Hillsborough and Antrim, Lake Franklin Pierce.

House Joint Resolution No. 138, Joint resolution to provide additional appropriation to the governor's contingent fund.

House Joint Resolution No. 142, Joint resolution in favor of the state planning and development commission.

The report was accepted.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size, reported the same under joint rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end of said section the following new paragraph:

X. "Eggs" shall mean hen's eggs.

On motion of Mr. Henderson of Durham the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 355, An act relative to the operation of motor vehicles, reported the same under joint rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Operation of Motor Vehicles; School Busses Marked.* Amend section 12 of chapter 103 of the Public Laws by striking out said section and inserting in place thereof the following:

12. *Street Cars; Motor Busses or Other Motor Vehicles.* The driver of a motor vehicle, approaching or passing a car of any street railway or a motor bus or other motor vehicle carrying school children which has been stopped to allow passengers to alight or embark, shall slow down such vehicle, and, if it be necessary for the safety of the public, shall bring it to a full stop. Motor busses or any other motor vehicles carrying school children shall be plainly marked on the rear of such vehicles with the words "school bus," said marking to be in letters not less than two inches in size.

On motion of Mr. Henderson of Durham the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg, re-

ported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Helen Hagerty, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the title by striking out the word "Helen" and inserting in place thereof the words Nellie F. so that said title shall read:

Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

Amend said resolution by striking out the word "Helen" in line two and inserting in place thereof the words Nellie F. so that said resolution as amended shall read as follows:

That the Treasurer of the State of New Hampshire be and hereby is authorized and instructed to pay and deliver to Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty, children and sole heirs of Walter L. Hood, the sum of \$921.60 and Certificate No. 1781 in the sum of \$71.96 issued by the Savings Department of the Lisbon Savings Bank & Trust Company and Certificate No. 418 in the sum of \$2.82 issued by the Commercial Department of said Bank & Trust Company, taking their joint receipt therefor. Said money and certificates representing the full amount of cash and certificates delivered to the State Treasurer by Linna O. Bronson, Admr. of the Estate of Jennie T. Harris, late of Lisbon, New Hampshire deceased; said payment having been made agreeably to the Public Laws of New Hampshire relating to the payment into the State Treasury of funds belonging to a lost heir.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Bill No. 389, An act establishing the office of State Veterans Service officer, reported



the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 3 and inserting in its place the following:

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

On motion of Mr. McDonough the bill with the accompanying amendment was laid upon the table.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend chapter 157 of the Public Laws as amended by chapter 102 of the Laws of 1931, by adding the following:

17. *Prohibition.* No person, except as hereinafter provided, shall sell or offer for sale on the streets, or any other place frequented by the public in any city or town, any artificial flowers or miniature flags.

18. *Permission Granted.* The mayor and aldermen of a city, or the selectmen of towns, may, in their discretion, authorize from time to time the sale or the offering for sale on the streets, or any other place frequented by the public in said city or town, of artificial flowers or miniature flags by the Grand Army of the Republic and organizations affiliated with it, the American Legion, the Veterans of Foreign Wars, United Spanish War Veterans, and other recognized charitable, fraternal, labor or military organizations; provided, however, that nothing in this section shall be construed to prohibit the sale or the offering for sale by bona fide merchants in their stores or other business establishments of such merchandise as herein named.

19. *Penalty.* Any person or persons violating any of the provisions of the preceding section shall be fined not more

than twenty-five dollars or be imprisoned for not more than six months.

2. *Takes Effect.* All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage Line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of two thousand dollars (\$2,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's Corner in Lower Gilmanton, in the town of Loudon provided the town of Loudon appropriates the sum of one thousand dollars, (\$1,000) for each of the two years for the same purpose. It is further provided that if the town of Loudon makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of section 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935 approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution

referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 11, Joint resolution for building a first class road in Rochester and Somersworth on the Salmon Falls road so-called, from the point where said road intersects Route 16 to the Berwick line at Eddy bridge connecting with Route 103 at said bridge, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend caption by striking out all after the word "Somersworth" so that said caption as amended will read as follows:

Joint resolution for building a first class road in Rochester and Somersworth.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of six thousand dollars (\$6,000) for the year 1936 be and hereby is appropriated for the building and improvement of a first class road in Rochester and Somersworth on the Salmon Falls road, so-called, from the point where said road intersects Route 16 to the Berwick line at Eddy bridge connecting with Route 103 at said bridge, provided that the city of Rochester appropriates the sum of six thousand dollars (\$6,000) for said year for the same purpose. It is further provided that if the city of Rochester makes the appropriation provided for herein and accepts the aid from the state under this resolution, said city shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said city under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. The sum appropriated by the state and by the city shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendments adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton, reported the same with the following amendment and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out the whole thereof and inserting in its place the following:

That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the highway in the town of Wilton leading from the Mason road on Abbott hill to the junction with route 101 at Wilton center, provided that the town of Wilton appropriates two thousand dollars (\$2,000) for each of the two years for the same purpose. It is further provided that if the town of Wilton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.



Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement and completion of the East Weare road, leading from North Weare to East Weare, in the town of Weare, provided that the town of Weare appropriates two thousand dollars for each of the said two years for the same purpose. It is further provided that if the town of Weare makes the appropriations provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the said two years for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge Mt. road in Wilmot, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of five hundred dollars (\$500) for the year 1935 be and hereby is appropriated for the improvement of the Kearsarge Mountain road in Wilmot from the Wilmot-Sutton road to the foot of Morgan's hill. Said sum shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

The report was accepted.



On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of one thousand dollars (\$1,000) for the year 1935 and a like sum for the year 1936 be and hereby is appropriated for the improvement of the road leading from Durham to Barrington in the town of Madbury, provided the town of Madbury appropriates the sum of five hundred dollars (\$500) for each of the said two years for the same purpose. It is further provided that if the town of Madbury makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the said two years for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 7 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown, reported the same with the following

amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of three thousand five hundred dollars (\$3,500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of North New Boston road in the town of Francestown, provided that the town of Francestown appropriates the sum of one thousand seven hundred fifty dollars for each of the said two years for the same purpose. It is further provided that if the town of Francestown makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the said two years for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand dollars (\$2000.) for the year 1935 and a like sum for the year 1936, be and hereby are appropriated for the improvement of the road leading from Chocorua Village to Silver lake, in the town of Tamworth,

provided the town of Tamworth appropriates the sum of one thousand dollars (\$1000.) for the said two years for the same purpose. It is further provided that if the town of Tamworth makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of three thousand dollars (\$3,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of a section of the road in the town of Walpole, leading from the main road in the village of Walpole, through Christian hollow, so-called, to the Walpole-Surry town line, the same being the hill road, so-called, from Walpole to Keene; provided that the town of Walpole appropriates a like sum each year for said purpose. It is further provided that if the town of Walpole makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936

for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in Boscawen, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the whole thereof and inserting in its place the following:

That the sum of four thousand five hundred dollars (\$4,500) for the year 1936 be and hereby is appropriated for the improvement of Water street, so called, in the town of Boscawen leading from the old turnpike road to Beaver Dam brook, provided that the town of Boscawen appropriates the sum of two thousand dollars (\$2,000) for the same year for the said purpose. It is further provided that if the town of Boscawen makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway com-



missioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Read of Plainfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand dollars (\$2000.) be and hereby are appropriated for the year 1935 for the completion of the Hancock road, so-called, in the town of Dublin, from Bond's corner to the Dublin-Harrisville town line, provided that the town of Dublin appropriates the sum of one thousand dollars (\$1000.) for the same year for the same purpose. It is further provided that if the town of Dublin makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.



Mr. Smith of Berlin for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by inserting after the word "purpose." in line five the following:

"It is further provided that if the town of Auburn makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935." so that said resolution as amended shall read as follows:

That the sum of two thousand dollars (\$2000.) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Hooksett road, so called, in the town of Auburn, provided that the town of Auburn appropriates the sum of one thousand dollars (\$1000.) for each of the said years for the same purpose. It is further provided that if the town of Auburn makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

On motion of Mr. Neal of Meredith the reading of the amendment was dispensed with.

The amendment was adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 372, An act laying out a highway on Kearsarge mountain, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by adding at the end of said section the following words: provided, however, that the governor and council may, during any period of any year when in their opinion the expense of the collection of said tolls would exceed the income from said tolls, order the cessation of said tolls for such time as they may deem advisable, so that said section as amended shall read as follows:

4. *Collection of Toll.* After said highway has been laid out as hereinbefore provided there shall be collected for the use of said highway such charges or tolls as the governor and council shall deem reasonable from the travelers thereon. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account designated by the name of the highway and the operating expenses and maintenance or reconstruction of said road shall be paid from this fund. Toll collections shall continue until cessation of the same is ordered by the legislature, provided, however, that the governor and council may, during any period of any year when in their opinion the expense of the collection of said tolls would exceed the income from said tolls, order the cessation of said tolls for such time as they may deem advisable.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 54, Joint resolution in favor of Peter Lajoie, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 130, An act reducing the hours of labor of employees in State institutions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 168, An act relative to the staff of the Public Library Commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 345, An act to reorganize the State highway department, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 393, An act relating to the powers of Little Boar's Head district, a village district in the town of North Hampton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Bill No. 91, An act authorizing the state of New Hampshire to take over a section of road in the town of Brentwood for the purpose of maintenance, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Mitchell of Campton for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 6, Joint resolution for the completion of the road leading from Deering town line to South Weare, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committees adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 93, Joint resolution for the improvement of a road in the town of Lempster, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 58, Joint resolution for the completion of the North Derry road, so-called, in the town of Litchfield, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Pittsfield for the Committee on Public Improvements, to whom was referred House Bill No. 59, An act to improve the Tilton-Belmont road in the town of Belmont, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Pittsfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 91, Joint resolution for the improvement of a road in Tamworth, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cummings of Newport for the Committee on Public Improvements, to whom was referred House Bill No. 278, An act establishing a trunk line highway from Hinsdale to Westmoreland, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 37 (In new draft), Joint resolution for the improvement of the highway known as the Goffs Falls road in Londonderry, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 63, Joint resolution for the improvement and completion of the Chase road, so-called, in the town of South Hampton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 79, Joint resolution for the improvement of the Breezy Point road in the town of Warren, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 100, Joint resolution for the construction of a State highway in the town of Canaan, reported the same with the following resolution:



*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Perkins of Pittsfield for the Committee on Public Improvements, to whom was referred House Bill No. 114, An act providing for emergency relief of unemployment in the State of New Hampshire by highway work, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred House Bill No. 125, An act to permit savings banks to establish life insurance departments, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Banks, to whom was referred House Bill No. 125, An act to permit savings banks to establish life insurance departments, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

RHETT R. SCRUGGS,

HERMAN H. PERRY,

*A minority of the Committee.*

Mr. Scruggs of Haverhill moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Wednesday, April 24 at 11:01 o'clock.

The question being on the motion of Mr. Scruggs.

On a *viva voce* vote the motion did not prevail.

Mr. O'Reilly of Manchester asked for a division.

(Discussion ensued)

Mr. O'Reilly withdrew his request for a division.

On a *viva voce* vote the motion of Mr. Scruggs prevailed.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 226, An act relating to

plumbing and the licensing of plumbers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 226, An act relating to plumbing and the licensing of plumbers, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 9 and inserting in place thereof the following: 9. *Exceptions to the Provisions of this Chapter*. The provisions of this chapter shall not apply to plumbers who are regularly employed by any common carrier engaged in interstate commerce and who are engaged exclusively in work on the premises of such carrier; nor to labor in connection with the laying or repair of public water or street sewer mains, or the setting of water meters; nor to similar outside labor under the supervision of a civil or sanitary engineer. It does not include work done outside the building on individual water or sewer or sewage disposal systems for farm or private country residences located outside of village limits, nor to villages with a population of less than fifteen hundred; nor does it prevent any individual from doing plumbing work on his own dwelling house, providing said work is done in accordance with the rules and regulations promulgated by said plumbing board under section 3 hereof.

P. J. KITTREDGE,  
LULA J. A. MORRIS,  
JOHN J. O'REILLY, JR.,  
KENNETH F. GRAF,  
ELIZABETH H. MASON,  
JOHN J. KEARNS,  
ALBERT D. LEAHY,  
FRANCIS X. COTE,  
*A minority of the Committee.*

Mr. Graf of Manchester moved that the report of the minority be substituted for the report of the majority.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. Moran of Manchester asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 66, An act in relation to tax collectors.

House Bill No. 103, An act ratifying action taken at the annual meeting of the Farmington village precinct on the eleventh day of April, 1934, and authorizing said Farmington village precinct to fund or refund its indebtedness as represented by notes.

House Bill No. 135, An act requiring registers of deeds and probate to report information to selectmen and assessors.

House Bill No. 162, An act relating to foreign insurance companies and their agents.

The report was accepted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

## SPECIAL ORDER

Mr. Jones of Lebanon called for the special order House Bill No. 107, An act relating to proceedings on certiorari.

Question being

Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

(Discussion ensued)

Mr. Keefe of Dover moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Lee of Concord at 1:30 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

Mr. Ahern of Concord in the Chair

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg.

House Joint Resolution No. 115, Joint resolution in favor

of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Sanderson of Pittsfield at 3:12 o'clock the House adjourned.

---

### WEDNESDAY, APRIL 17, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

#### LEAVE OF ABSENCE

Mr. Simpson of Bartlett was granted leave of absence for the day on account of important business.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes.

The report was accepted.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 227, An act relating to railroad grade crossings, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 394, An act relating to work relief, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 395, An act relating to



municipal courts, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Sullivan of Manchester the bill was referred to a special committee consisting of the delegation from the city of Manchester.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Bill No. 397, An act relating to the New Hampshire-Vermont boundary, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 206 (in new draft and with a new title), An act relating to state, county and municipal contracts, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out in line 17 the words, "clearly burdensome," and inserting in place thereof the words, equal to or in excess of five hundred dollars, so that said section as amended will read as follows:

2. *Preference.* In the award of any contract by a state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state shall be preferred except where the added cost from such preference would be equal to or in excess of five hundred dollars. The decision of the state, county, or municipal agency upon this issue shall be final.

The report was accepted and the amendment adopted.

Mr. McLean of Plymouth offered the following amendment:

Amend said bill by inserting after the word "bona fide" in line 14 the word, "responsible."

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 329, An act relating to labor and industry, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 369, An act relating to exemption from taxation of property owned by the blind, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 5 the words and figures: "two thousand dollars (\$2,000.)" and inserting in place thereof the words and figures one thousand dollars (\$1,000.). Further amend by striking out the word "four" in line 7 and inserting in place thereof the word five so that said section as amended shall read as follows:

1. *Taxation.* Amend chapter 60 of the Public Laws by adding after section 26 a new section which shall read as follows: 26-a. *Exemption for the Blind.* Every inhabitant totally deprived of his eyesight shall be exempt each year from taxation upon his taxable property to the value of one thousand dollars (\$1,000.), provided that the total property owned by such blind person and his or her spouse shall not exceed the value of five thousand dollars.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on

Appropriations, to whom was referred House Joint Resolution No. 108, Joint resolution in favor of Herbert C. Trenoweth of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 40, An act relating to the motor vehicle law, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Osborne of Sunapee moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution reported by the committee.

On a *viva voce* vote the Chair was in doubt.

Mr. Jones of Lebanon asked for a division.

A division being taken 177 members voted in the affirmative and 155 members voted in the negative and the resolution was adopted.

Mr. Pillsbury of Derry demanded the yeas and nays but subsequently withdrew his demand.

Mr. Jones of Lebanon renewed the demand for the yeas and nays and the roll was called with the following result:

YEAS, 187

ROCKINGHAM COUNTY: Fitts, Foss, Cilley, Russell of Exeter, Brackett, Little of Hampstead, Lyford, Sheehy, Estabrook of Newton, Barrett, Kittredge, Allen, Pray, Buckley, Abbott of Portsmouth, Floyd, Emerson of Windham.

STRAFFORD COUNTY: Coffin, Keenan, Neal of Dover, Hall

of Dover, Keefe, Durnin, Henderson of Durham, Elliott of Madbury, Gotts, Emerson of Rochester, Dickinson, Greenfield, Tighe, Elson.

BELKNAP COUNTY: Hunt, Page, Dodge, Guay, Carroll, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Wallis.

CARROLL COUNTY: Mudgett, Russell of Conway, Thompson of Effingham, Gale, Lyman, Winkley, Hoyt of Sandwich, Hilliard, Young.

MERRIMACK COUNTY: Munroe, Reardon, Morgan, Tallman, Shaw, Coakley, Matott, Robinson of Concord, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Wylie, Lee, Ahern, Donovan, Buffum, Carignan, Dempsey, Peaslee of Henniker, Ball, Merrill of Loudon, Colburn, Connor, Cloues.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Avery, Matheson, Sym, Crowell, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Emery, Knowlton, Wilson of Manchester, Barnard, Fitzgerald, Creighton, Booth, Clancy of Manchester, Ward 6, Connelly, Healy of Manchester, Ward 6, Jordan, Sullivan of Manchester, Charland, Cote, Gagnon, Turcotte of Manchester, Kearns, Aubin, Blanchette, Maker, Howison, Wadleigh, Weston, Woods, Bastow, Fowell, Woodbury, Baker, Thompson of New Ipswich, Cummings of Peterborough, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Appleton, Firmin, Clark, Hamond, Perry of Jaffrey, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Bullock, Rice, Perry of Swanzey, Graves, Kiniry, Horner, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Leahy, Johnson, Reney, Bailey, Cummings of Newport, Downing, Osborne.

GRAFTON COUNTY: Yeaton of Benton, Remick, Sawyer of Franconia, Williams, Guyer, Putnam of Hanover, Marden, Parker, Lewis, Magoon, Simpson of Littleton, Burgault, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bagley, Bell, Mason, Brungot, Lombard,



Ramsay, Stiles, Chandler of Gorham, Willis, Morris, Hancock, Fuller of Stewartstown, Fuller of Stratford, Whitchee.

## NAYS, 176

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Fogg, Abbott of Derry, Hepworth, Pillsbury, Thayer, Benton, Stevenson, Carlton, Perkins of Hampton, Adams of Londonderry, Pickering, Marston of North Hampton, Mudge, Peaslee of Plaistow, Dondero, Tucker, Yeaton of Portsmouth, Harmon, Rose, Eliot of Raymond, Marston of Rye, Manor, Peever, Adams of Seabrook, Chase.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Chabot, Durkin, Howard of Dover, Garland, McDonough of Dover, Gelinass of Farmington, Lefavour, Tanner, Brennan, Cartier, Turcotte of Rochester, Seavey.

BELKNAP COUNTY: Varney, Piper of Belmont, Stafford, Cantin, Smart.

CARROLL COUNTY: Weeks, Clow, Hart.

MERRIMACK COUNTY: Courtemanche, Danforth of Bradford, Kemp, Maxham, Demers, Piper of Franklin, Lemire, Bean of Franklin, Lafond, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Sanborn, Howard of Wilmot.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Locke of Deering, Charois, Goodwin of Hudson, Smith of Hudson, Berg-holtz, Gage, McIntire, Dwyer, O'Reilly, Talty, Tobin, Corey, Betley, Clancy of Manchester, Ward 5, Healy of Manchester, Ward 5, O'Brien, Peloquin, Bernier, Bolton, Bouthiette, Gelinass of Manchester, McDonough of Manchester, Richard, Gaudreault, Getz, Roukey, Van Vliet, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Barnes, Winslow, Danforth of Nashua, Francoeur, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Dugan, Charbonneau, Dion, Maynard, Fournier, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Molloy, Bouthillier, Desmarais, Jones of Pelham, Mercer.

CHESHIRE COUNTY: Chickering, Shea, Huntley, Granger, Randall, Britton.



SULLIVAN COUNTY: Daly, Freeman of Claremont, Hosking, Quimby, Thomas, Gaffney, Cutting, Barton, Farmer, Read of Plainfield, Cram, Emerson of Washington.

GRAFTON COUNTY: Mitchell, Graham, Bowles, Hardy, Hunter, Keyser, Merrill of Haverhill, Scruggs, Hathorn, Hoyt of Lebanon, Jones of Lebanon, McNamara, Millen, Perley, Legassie, Astle.

COOS COUNTY: Barden, Smith of Berlin, Ordway, Palmer, Sullivan of Berlin, Dahl, Martel, Bixby, Dugas, Myler, Gray, Whitcomb, Towle, Cole, Marshall, Judd, Phelan.

And the resolution was adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 127, An act providing for appeal from the decisions of the motor vehicle commissioner, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Jones of Lebanon moved that the bill and report be laid upon the table and made a special order for Tuesday, April 23, at 11:01 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Jones of Lebanon asked for a division.

A division being taken the vote was declared manifestly in the affirmative.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Joint Resolution No. 129, Joint resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred House Bill No. 390, An act relative to

liability for motor vehicle accidents, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Joint Resolution No. 3 (in new draft), Joint resolution limiting the number of persons in one household who may be employed in any State department or in any State institution, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary, to whom was referred House Bill No. 88, An act relating to the administration of the motor vehicle law, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 4 and inserting in place thereof the following:

4. —. Amend chapter 100 of the Public Laws by adding after section 56, as inserted by chapter 53, Laws of 1927, the following new sections: 57. *Repair Men*. A repair man may make application to the commissioner, upon blanks furnished by him for that purpose, for a general distinguishing number for use on any unregistered motor vehicle not owned by him and temporarily in his custody for no other purpose than the trial or adjustment of such motor vehicle, and for use upon any motor vehicle owned by him and used in direct connection with his repair business for service or towing purposes only. The commissioner may, if he is satisfied with the facts stated in the application, issue to the applicant a certificate of registration containing the name, residence, and address of such applicant and the distinguishing number assigned, and such other information as the commissioner may determine. 58. *Number Plates*. The commissioner shall furnish such repair man one set of

number plates, and in his discretion the commissioner may issue one more set of number plates. 59. *Use of Plates.* A repair man shall not lend number plates which have been assigned to him under the provisions hereof, nor shall he lend or rent a motor vehicle to which such number plates have been attached. 60. *Use of cars.* A repair man shall not operate motor vehicles, nor permit the same to be operated, under a repair man's registration number except as specifically permitted under the provisions of sections 57 to 59, inclusive.

Further amend said bill by striking out all of section 5 and inserting in place thereof the following: 5. *Fee for Repair Men's Registration.* Amend section 1, chapter 102 of the Public Laws, by adding after paragraph VII the following new paragraph: VII-a. For motor vehicles owned by or under the control of a repair man, as provided in section 4 of this act, fifteen dollars for the first set of plates and ten dollars for one additional set of plates.

Further amend said bill by striking out all of section 7 and inserting in place thereof the following: 7. *Operation of Motor Vehicles.* Amend section 15 of chapter 102 of the Public Laws, as amended by chapter 66, Laws of 1931, by striking out all of said section and inserting in place thereof the following: 15. *Intoxication.* Any person who shall operate, or attempt to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked, and he shall be ineligible for a license for one year thereafter. Upon a second conviction he shall be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.

On a *viva voce* vote the amendments were adopted.

Mr. Jones of Lebanon offered the following amendments.

Amend Section 7 of the amended bill by striking out the

word "three" in the last line thereof and inserting in the place thereof the word, two. By striking out the words "less than one month nor" and the words "less than one hundred dollars nor" in the last paragraph thereof. By inserting after the words "second conviction" in the last paragraph thereof the words "within six years." So that said section as amended will read as follows:

15. *Intoxication.* Any person who shall operate, or attempt to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked, and he shall be ineligible for a license for one year thereafter. Upon a second conviction within six years he shall be imprisoned for not more than six months, and fined not more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next two calendar years.

The question being on the amendments.

(Discussion ensued)

On a *viva voce* vote the amendments were not adopted.

Mr. Jones of Lebanon offered the following amendment.

Amend Section 7 of the amended bill by inserting after the words "second conviction" in the last paragraph thereof the words, "within seven years," so that said section as amended will read as follows:

15. *Intoxication.* Any person who shall operate, or attempt to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked, and he shall be ineligible for a license for one year thereafter. Upon a second conviction within seven years he shall be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.



The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Jones of Lebanon offered the following amendment.

Amend Section 7 of the amended bill by inserting after the words "second conviction" in the last paragraph thereof the words, "within ten years," so that said section as amended will read as follows:

15. *Intoxication.* Any person who shall operate, or attempt to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked, and he shall be ineligible for a license for one year thereafter. Upon a second conviction within ten years he shall be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Jones of Lebanon offered the following amendment.

Amend Section 7 of the amended bill by striking out the word "three" in the last line thereof and inserting in the place thereof the words, twenty-three, so that said section as amended will read as follows:

15. *Intoxication.* Any person who shall operate, or attempt to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked, and he shall be ineligible for a license for one year thereafter. Upon a second conviction he shall be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall



be revoked and he shall be ineligible for a license for the next twenty-three calendar years.

On a *viva voce* vote the amendment was not adopted.

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

Mr. Jones of Lebanon asked for a division.

A division being taken the vote was declared to be manifestly in the affirmative.

The question being

Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Kearns of Manchester moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Kearns.

Mr. Jones moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

Mr. Jones demanded the yeas and nays on the motion to adjourn but subsequently withdrew his demand.

The question being on the motion of Mr. Kearns of Manchester.

On a *viva voce* vote the affirmative prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### PERSONAL PRIVILEGE

Mr. Wilson of Manchester rose to a question of personal privilege and on behalf of friends presented Representative Frank Hilliard of Tuftonboro a handsome traveling bag.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 292, An act relating to the police, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 292, An act relating to the police, being unable to agree with the majority, re-

ported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 28 and inserting in place thereof the following: 28. *Appropriations.* The expenses of the police, including pay of the Commissioner, Chiefs of Police, police officers and employees, shall be paid by the state, and the money in excess of that received from the fines, costs and transfers as hereinbefore provided shall be raised and paid by the cities and towns to the State Treasurer as hereinafter provided. Each city and town shall annually, on or before the thirty-first day of December, pay to the State Treasurer, for the police, a sum in such proportion to the cost of the police of the state, exclusive of the State Constabulary, as the number of days of police service rendered such city or town in the current year bears to the whole number of days of police service rendered to the cities and towns of the state for that year. All funds received by the State Treasurer for police purposes shall be used for the expense of the state.

WILLIAM WESTON,  
P. O. KITTREDGE,  
ALLEN M. FREEMAN,  
DIXON F. VANCORE,  
KENNETH F. GRAF,  
LULA J. A. MORRIS,  
ALLAN M. WILSON,

*A minority of the Committee.*

Mr. Wilson of Manchester moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and accompanying reports with the amendment pending be laid upon the table and made a special order for Tuesday, April 23, at 11:02 o'clock.

On a *viva voce* vote the motion prevailed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House

of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds.

House Bill No. 402, An act validating a vote taken by the town of Meredith relative to borrowing in anticipation of taxes.

#### SPECIAL ORDER

Senate Bill No. 15 (in new draft), An act to stimulate economic recovery by the encouragement of new building projects.

The question being

Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

(Discussion ensued)

Mr. Molloy of Nashua raised the point of order that the member speaking was not confining himself to the question.

The Speaker ruled the point not well taken.

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Smart of Tilton asked for a division.

A division being taken 238 members voted in the affirmative and 19 members voted in the negative and the resolution was adopted.

On motion of Mr. Keefe of Dover at 1:50 o'clock the House adjourned.

## AFTERNOON

The House met at 3 o'clock.

Mr. Cummings of Peterborough in the Chair

## THIRD READINGS

On motion of Mr. Ahern of Concord the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 206, An act relating to State, county, and municipal contracts.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

Severally read a third time and passed and sent to the Senate for concurrence.

## BILL RECALLED

Mr. Hunter of Hanover moved that House Bill No. 227, An act relating to grade crossings be recalled from the Committee on Appropriations.

The question being on the motion of Mr. Hunter.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Hunter of Hanover moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Hunter.

Mr. Dickinson of Rochester asked for a division but subsequently withdrew his request.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Stevenson of Exeter at 3:18 o'clock the House adjourned.

---

THURSDAY, APRIL 18, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Messrs. Page of Gilmanton and Shepard of New London were granted leave of absence for the day on account of important business.

## COMMITTEE REPORTS

Mr. O'Reilly of Manchester in the Chair.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 301, An act relating to the Public Service Commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damages done by bears, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States Exposition, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred Senate Bill No. 24 (in Senate new draft),



An act relating to safety glass on motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 375, An act relative to paroled prisoners, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 1, 2 and 3 thereof.

Amend section 4 of said bill by striking out the words "of said chapter 369" in the first and second lines of said section and inserting in place thereof the words of chapter 369 of the Public Laws.

Further amend said bill by renumbering section 4 to read section 1.

Further amend said bill by renumbering section 5 to read section 2.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Bill No. 324, An act providing for a special fund for maintenance of public waters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Joint Resolution No. 126, Joint resolution in favor of Royce Hutchins, et al., reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 139, Joint resolution in favor of Ernest W. Morgan, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 140, Joint resolution in favor of Leroy H. Locke, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 141, Joint resolution in favor of Ernest E. Whitcomb, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 135, Joint resolution in favor of Augustus S. Burke and others, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out in line one the words and figures: "thirty-five hundred dollars (\$3500.00)" and inserting in place thereof the words and figures twenty-five hundred dollars (\$2500.00). Further amend by striking out in lines six and eight the words and figures "Five hundred dollars (\$500.00)" and inserting in place thereof the words and figures Two hundred and fifty dollars (\$250.00). Further amend by striking out in line seven the words and figures: "twenty-five hundred dollars (\$2500.00)" and inserting in place thereof the words and figures two thousand dollars (\$2000.00) so that said resolution as amended shall read as follows:

That the sum of twenty-five hundred dollars (\$2500.00) be and the same hereby is appropriated in favor of Augustus S. Burke, Eliza Burke and Evelyn Burke, all of Fort Fairfield,

County of Aroostook and State of Maine, said sum to be distributed as follows:

Two hundred and fifty dollars (\$250.00) to Augustus S. Burke, two thousand dollars (\$2000.00) to Eliza Burke and two hundred and fifty dollars (\$250.00) to Evelyn Burke in full to reimburse them for damages received and expenses and losses sustained by them as a result of an accident that occurred on September 3, 1934, on State Highway No. 3 in the town of Bethlehem in the County of Grafton and State of New Hampshire wherein the road on which they were traveling collapsed, said sum to be a charge upon the highway funds.

The report was accepted, the amendments adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 92, Joint resolution in favor of Bernard Merrick of East Kingston, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

On motion of Mr. Foss of East Kingston the joint resolution with the accompanying report was laid upon the table and made a special order for Tuesday, April 23, at 11:03 o'clock.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 136, Joint resolution in favor of Harry W. Benedict, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 294, An act relating to

neglected and delinquent children, reported the same in new draft, with the recommendation that the bill in its new draft be printed and recommitted to the Committee on Judiciary.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 295, An act creating the juvenile and domestic relations sessions of the probate court and a probation department for the more efficient and effective administration of justice therein, reported the same in a new draft and with a new title, with the recommendation that the bill in its new draft and with its new title be printed and recommitted to the Committee on Judiciary.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out the whole thereof and inserting in its place the following:

That the sum of two thousand dollars (\$2,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated on condition that the town of Wakefield appropriates two thousand dollars (\$2,000) for each of the two years for the construction and permanent improvement of the Province Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield. It is further provided that if the town of Wakefield makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936

for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fogg of Deerfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out the whole thereof and inserting in its place the following:

That the sum of twenty-five hundred dollars (\$2500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the extension of the so called Windham Range road in Windham leading from Cobbetts Pond road toward Pelham, provided that the town of Windham appropriates the sum of one thousand five hundred dollars (\$1500) for the same purpose for each of the said two years. It is further provided that if the town of Windham makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by



the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Blake of Concord for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of twenty-five hundred dollars (\$2500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the River road, so called, in the town of Dummer, provided that the town of Dummer appropriates the sum of fifteen hundred dollars for the purpose for each of the said two years. It is further provided that if the town of Dummer makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on mo-

tion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Perkins of Pittsfield for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of twelve hundred dollars (\$1200) for the year 1936 be and hereby is appropriated for the completion of the Westmoreland-Spofford road, so called, in the town of Chesterfield, provided that the town of Chesterfield appropriates the sum of six hundred dollars (\$600) for the same year for said purpose. It is further provided that if the town of Chesterfield makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Mitchell of Campton for the Committee on Public Improvements, to whom was referred House Joint Resolution

No. 146, Joint resolution for the completion of a road in the town of Westmoreland, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in its place the following:

That the sum of five thousand dollars (\$5,000) for the year 1936 be and hereby is appropriated for the completion of section C, 1900 feet, and the completion of the Chesterfield road, 3500 feet, provided that the town of Westmoreland appropriates the sum of two thousand, five hundred dollars (\$2500) for the same year and for the same purpose. It is further provided that if the town of Westmoreland makes the appropriation provided for herein and accepts aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sum appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of one thousand dollars (\$1000) be and hereby is appropriated for the completion of the unimproved section of designated route No. 112, in the town of Landaff, said route 112 being the main highway between North Woodstock and Bath via Lost River. The sum appropriated by the state shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Mitchell of Campton for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of fifteen hundred dollars (\$1500), for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Pow Wow road, so called, in the town of East Kingston, provided that the town of East Kingstton appropriates the sum of one thousand dollars (\$1000) for each of the said two years for the same purpose. It is further provided that if the town of East Kingston makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of section 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.



The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Granger of Swanzev for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of five thousand dollars (\$5000) be and the same is hereby appropriated for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough, provided that the town of Moultonborough appropriate the sum of three thousand dollars (\$3000) for the same purpose. Said sum appropriated by the state shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Kemp of Concord for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 13, Joint resolution for the improvement of the road from Hudson to Pelham in the town of Hudson, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Kingston for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 18, Joint resolution providing for the improvement of



road in the town of Lyndeborough, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fitts of Chester for the Committee on Public Improvements, to whom was referred House Bill No. 216, An act providing for the improvement of a highway from Gorham Upper Village, so-called, to Berlin, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

House Bill No. 355, An act relative to the operation of motor vehicles.

The message further announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 318, An act relating to the buying and selling of live poultry to be used for food.

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Bill of Sale Required.* No person shall transport live poultry which he has obtained from another from place to place along any public highway unless he has in his possession

a bill of sale or other memorandum signed by the vendor, owner, or agent of the same, and containing the address of such vendor or owner, the date of sale or other transaction involving the transfer of possession, the breed, weight, price and approximate number of live poultry obtained.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 365, An act relating to deposits of cash by savings banks.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 48, An act relating to descent, distribution and advancements.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 48, An act relating to descent, distribution and advancements.

The bill was read a first and second time and referred to the Committee on Revision of the Statutes.

The Speaker in the Chair.

#### NOTICE OF RECONSIDERATION

Mr. Remick of Bristol gave notice that on tomorrow or some subsequent day he should move to reconsider the vote whereby the House adopted the resolution reported by the Committee on Judiciary that it is inexpedient to legislate on House Bill No. 40, An act relating to the motor vehicle law.

Mr. Callahan of Keene moved that the vote whereby the House adopted the resolution reported by the Committee on Judiciary that it is inexpedient to legislate on House Bill No.

40, An act relating to the motor vehicle law, and with this motion pending further moved that the motion to reconsider be laid upon the table.

On a *viva voce* vote the motion prevailed.

Mr. Jones of Lebanon asked for a division but subsequently withdrew his request.

Mr. Callahan of Keene withdrew his motion.

On motion of Mr. Keefe of Dover the order whereby House Bill No. 292, An act relating to the police, was made a special order for Tuesday, April 23, at 11:02 o'clock was vacated and the bill made a special order for Wednesday, April 24, at 11:02 o'clock.

#### RESOLUTIONS

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Keefe of Dover the Speaker was authorized to appoint a committee to arrange a program for the mock session.

The Speaker appointed as such committee Messrs. Wilson of Manchester and Keefe of Dover.

On motion of Mr. Shea of Keene:

WHEREAS, This House has learned with sorrow of the death of Harry V. Roche, brother of Carl D. Roche, Representative from Keene, therefore

*Be it resolved*, That the Speaker appoint a committee of five to draw up suitable resolutions of sympathy.

The Speaker appointed as members of such committee Messrs. Shea, Jones, Callahan, Hilton, and Spaulding of Keene.

#### PERSONAL PRIVILEGE

Mr. Wylie of Concord rose to a question of personal privilege and stated that the matter reported in the newspapers regarding the tenure of office was not authorized by the Com-

mittee on Education and that if such a bill should be introduced the House would receive due notice through the proper channels.

On motion of Mr. Kearns of Manchester business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 301, An act relating to the Public Service Commission.

House Bill No. 375, An act relative to paroled prisoners.

House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damage done by bears.

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Read a third time.

The question being

Shall the bill pass?

On motion of Mr. Neal of Meredith the bill was laid upon the table.

#### MOTION RENEWED

Mr. Callahan of Keene renewed his motion that the vote whereby the House adopted the resolution reported by the Committee on Judiciary that it is inexpedient to legislate on House Bill No. 40, An act relating to the motor vehicle law,

and with this motion pending further moved that the motion to reconsider be laid upon the table.

The question being on the motion of Mr. Callahan.

Mr. Stevenson of Exeter asked for a division.

The Speaker ruled that there was evidently no quorum present and at 12:10 o'clock declared the House adjourned the motion going over into unfinished business.

---

FRIDAY, APRIL 19, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk.

Bath, N. H., April 19, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the House adjourned.

---

MONDAY, APRIL 22, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk.

Bath, N. H., April 22, 1935.

Mr. George A. Maxham

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Sullivan of Berlin at 7:31 o'clock the House adjourned.



TUESDAY, APRIL 23, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## JOINT CONVENTION

The two branches being in convention His Excellency the Governor delivered the following message:

## MESSAGE OF THE GOVERNOR

Many of the problems that faced us at the opening of this session of the Legislature have been solved or are nearing solution. There are others that have been delayed for one cause or another. It is imperative that they should receive your early consideration in order that your attention may be concentrated in the closing weeks on budget and taxation matters.

I want to call your attention to legislation now pending before you affecting labor and industry in this State.

We all know and recognize the importance of the agricultural and recreational interests of this State. They are fundamental to our prosperity and we should do everything we reasonably can to foster and encourage them. At the same time we should remember that approximately 46% of our working population, or a greater percentage than is the case in any other state but one, are employed in industrial and mechanical occupations. We should therefore be equally prepared to zealously guard the interests of our industries and those who work in them.

The House of Representatives has already passed, and the Senate Labor Committee has recommended passage of a resolution, ratifying the interstate compact on minimum wage standards. As you well know, this compact requires no new legislation of New Hampshire. Our laws already meet all of its requirements. It does offer an approach through State action to desired uniformity of standards as between competing industries in different states. Because it is the first such agreement between the states I believe it offers an important

contribution to this method of approaching the problem. Endorsed by employers and workers it carries with it the establishment on a permanent basis of an agency to study and propose further compacts. It is important for New Hampshire's self protection, if for no other reason, that our representatives continue to participate in these studies and have a voice in determination of future proposals.

I therefore ask the Legislature to ratify this compact that New Hampshire may continue to lead in this great movement under which our rights are fully protected but through which we have an avenue of approach which I believe desirable to mutual understanding between the states.

In 1933 this Legislature recommended the appointment of a commission to study the problem of establishing unemployment reserves to prevent unemployed workers from going on relief rolls in periods of business stress. The problem received careful and intelligent consideration. Its recommendations are embodied in House Bill 400, which has already received the unanimous endorsement of the House Committee on Labor. The bill has been drafted so that it is conditional upon the passage of Federal legislation embodying substantially similar terms. If it was not contingent upon such action I should not have recommended independent legislation at a time when an added burden upon our industries would have placed them at a serious disadvantage in competition with similar industries in other states. Under the terms of the Federal bill which has now passed the House of Representatives by a large majority, employers in states that have legislation similar to that embodied in House Bill 400 will be entitled to a deduction of 90% of the federal tax if they have contributed to the state unemployment plan. A large portion of the remaining 10% will be refunded to the state for the administration of the plan, so that added appropriations by the State will be unnecessary. The passage of this bill will not therefore work hardship upon our industries but will result in a saving to the State of several millions of dollars a year that would otherwise disappear in the federal treasury.

If you pass this bill now and, contrary to all forecasts and expectations, the pending federal social security bill should fail of approval at this session of the Congress, no harm has been done. On the other hand, if the reverse should be true and we should fail to enact suitable legislation here and the pending federal bill does become national law, every employer in New Hampshire will be forced to contribute to a federal fund with our workers receiving no benefits. The only solution of that situation would be a special session of the Legislature with accompanying expense to the State.

I therefore recommend early passage of this measure for unemployment compensation.

In connection with unemployment compensation it should be of importance to you and a cause of general satisfaction to the State as a whole that at the public hearings broad endorsement for the pending plan was voiced by a large number of important employers engaged in widely diversified types of manufacturing and by representatives of workers, and the public.

The unemployment reserves measure emphasizes the necessity for the passage of House Bill 329 in new draft as reported favorably by your committee on labor. This bill reorganizes the department of labor to meet the changing needs of present day problems. The establishment of unemployment reserves will necessitate the appointment of a director skilled and experienced in actuarial problems and finance. The problems that will be faced are closely allied with those that are faced in the administration of other laws relating to labor and industry. This bill contemplates a three man commission to carry on the work of the department, the members jointly determining matters of broad policy and administration and each member directing the work of a specific division within the department. One would direct the unemployment fund work and the unemployment offices that will be required to supervise registrations, applications and the payment of benefits. Another would supervise administration of laws relating to workmen's compensation, health, safety, sanitation, and factory inspection. The third would

supervise administration of laws relating to hours of labor, employment of women and minors, minimum wages, and statistical research required for proper understanding and administration. Interchange of duties would be permissible if necessary or desirable.

The proposed reorganization sets up a commission prepared and equipped to handle all the important problems of labor and industry. It accomplishes several objectives.

First, it provides for consolidation of independent activities into a cohesive department thus contributing to greater efficiency and, as has already been established by the major consolidations you have already provided in the welfare and relief, planning and development departments, offers an opportunity to save money to the state as compared to independent maintenance of these services which will have to be provided for in the budgets if this consolidation is not effected.

Secondly, this bill for the first time, by name and by function gives recognition to industry in this important department. The problems of industry and industrial workers are much the same. It also provides for the elimination of duplicating reports and investigations, a change which has long been desired by employers, and has been recommended by the present commissioner.

I do not anticipate that this measure would add to the costs now met by the State. The expense of one of the commissioners would be covered by refunds from the Federal Government for the administration of unemployment compensation. We are already paying by appropriations from the emergency fund for the other work that would be covered by the added commissioner. An adequately staffed department should result in material savings that are now incurred by the appointment of various agencies and commissions that are required for the gathering of data prior to the consideration of measures altering or enlarging the scope of our laws relating to labor and industry. As illustrative, an appropriation of approximately \$4,000 was made to make the study required for the preparation of House Bill 400. A resolution



is now pending for the appointment of a commission to study the types, causes and frequency of occupational diseases, and to recommend changes needed in our compensation laws. These studies could and should to a large measure be conducted by or in cooperation with an adequately staffed department.

As I have said, I believe that reorganization of the labor department will prove to be an economy measure.

Past Legislatures have modernized State functions in the fields of agriculture, forestry, recreation and development. I believe that the time has come to revitalize and make more effective our services to labor and industry. On these grounds I ask approval of the departmental reorganization bill.

The third measure that I wish to speak of at this time is that accepting the provisions of the Wagner-Peyser Act. Acceptance by this State, through its Legislature, will result in equal contributions by the Federal Government in the maintenance of a system of employment offices through the State where needed. Its provisions were accepted by this State by the former Governor, pending the meeting of this Legislature, and resulted in Federal contributions in excess of ten thousand dollars. This is our last opportunity to accept its benefits. To date twenty-three states have accepted it, including every large industrial state in the country. Should this measure fail, it would be necessary to incorporate into the provisions of the unemployment insurance measure, substantially similar provisions for the establishment of unemployment offices.

There remains one other subject to which you should give consideration.

In my opinion this Legislature is to be congratulated upon the thought and effort which has been given to matters of social security. You have already considered many proposals to modify our existing law covering old age assistance which as you know is but a special form of poor relief.

Pending in the Federal Congress is a bill providing for so-called old age pensions. These are proposed to be aids for



the *needy* aged. It is unnecessary to consider this legislation in detail here.

But I do ask the Legislature, either through a standing or a special committee, to immediately examine the pending Federal legislation to determine its probable effect on our own requirements, as is true in the case of unemployment compensation. We should so prepare our welfare and relief machinery as to be able to secure what Federal assistance is to be made available.

I believe that data already available should make possible the reaching of a reasonable conclusion as to a State program in a comparatively short time.

#### RESOLUTION

On motion of Mr. McIntire of Manchester:

*Resolved*, That the Speaker appoint a committee of three members of the House to meet with a committee of three appointed by the Senate for the consideration of federal legislation now pending in Congress relating to old age pensions, mothers' aid, child welfare and other social subjects and to make such recommendations as may be deemed necessary to secure to this state the benefit of such federal legislation.

The Speaker appointed as members of such committee on the part of the House Messrs. Keefe of Dover, Wilson of Manchester and Ahern of Concord.

The convention then rose.

#### LEAVES OF ABSENCE

Mr. Matheson of Goffstown was granted leave of absence for the day on account of important business.

Messrs. Dame of Concord and Randall of Troy were granted leave of absence for the week on account of important business.

Mr. Ahern of Concord in the Chair

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on En-grossed Bills, to whom was referred Senate Joint Resolution No. 1, Joint resolution in favor of William Shively, reported

the same under joint rule No. 6 with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by inserting after the word "governor" in the twelfth line the words, by and with the advice and consent of the council.

On motion of Mr. Henderson of Durham the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 382 (in new draft), An act relating to teachers, reported the same in a new draft with the recommendation that the bill in its new draft be recommended to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and recommitted to the Committee on Education.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 396, An act relating to steam boilers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

(The Speaker in the Chair)

Honorable Leverett Saltonstall, the Speaker of the Massachusetts House of Representatives, briefly addressed the House.

Mr. Blood of Concord for the Committee on Public Health,

to whom was referred House Bill No. 351, An act to regulate the practice of barbering, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Lambert of Manchester moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

On a *viva voce* vote the resolution reported by the committee was adopted.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes and bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended, the printing of the bill and its reference to a committee dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 411, An act relating to foreign insurance companies and their agents, with the recommendation that the bill be referred to the Committee on Revision of the Statutes.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of the Statutes.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 412, An act relating to register of deeds for Strafford county, with the recommendation that the bill be referred to the Strafford County delegation.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Keefe of Dover the bill was referred to a special committee consisting of the delegation from the county of Strafford.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 413, An act relating to powers of the superior court, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 414, An act relating to the school district of the town of Hampstead, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 415, An act relating to the distribution of damages in suits by administrators, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 416, An act relating to the superior court, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first time.

Mr. Callahan of Keene made a parliamentary inquiry as to the effect House Rule No. 26 had on the pending bill.

The Speaker ruled that it did not apply.

The bill was then read a second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 417, An act

relative to the salary of the justice of the municipal court of Franklin, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Carroll of Laconia for the Committee on Public Health, to whom was referred House Bill No. 34 (in new draft), An act to regulate the practice of barbering, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend by striking out paragraph (a) in section 7.

Amend section 9 by striking out in lines 9 and 10 the words "a written and" and substituting therefor the word, an; further amend by striking out in lines 15 and 16 the word "physician" and substituting therefor the words, person licensed to make such examination, so that said section as amended will read as follows:

9. *Examinations.* The Board shall conduct examinations of applicants for certificates of registration to practice as registered barbers and/or applications for certificates of registration to practice as registered apprentices not less than



four times each year, at such times and places as the Board may determine.

The examination of applicants for certificates of registration as registered barbers and as registered apprentices shall include both a practical demonstration and an oral test, and shall embrace such subjects as the Board may deem necessary to determine their fitness. Before engaging in actual employment in the practice of barbering, and at least once a year thereafter, every registered barber and registered apprentice shall secure from a person licensed to make such examination a certificate stating that such barber or apprentice is not afflicted with tuberculosis, venereal disease in any form, or with any other communicable disease. Said certificate shall be on a form furnished by the Board. Every holder of such a certificate shall display it in a conspicuous place adjacent to or near his work chair.

Amend section 10 by striking out in line 4 the word "seventy-five" and substituting therefor the word, seventy, so that said section as amended will read as follows:

10. *Certificates.* Certificates of registered barber or of registered apprentice shall be issued by the Board to any applicant who shall pass a satisfactory examination, making an average grade of not less than seventy per cent, and who shall possess the other qualifications required by law.

Amend the first paragraph of section 11 by striking out in lines 3, 4 and 5 the words "and has a diploma showing graduation from an eight grade grammar school or its equivalent" so that said paragraph as amended will read as follows:

11. *Barbers from other States.* Any person who is at least eighteen years of age and of good moral character and temperate habits as determined by an examination conducted by the Board, and either;

Amend paragraph (b) of section 11 by striking out in lines 27 and 28 the words "and who has a diploma showing graduation from an eight grade grammar school or an equivalent education" so that said paragraph as amended will read as follows:

(b) Who can prove by sworn affidavits that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this state,

Shall upon payment of the required fee be issued a permit to practice as a journeyman barber only until he is called by the Board for examination to determine his fitness to receive a certificate of registration to practice barbering.

Should he fail to pass the required examination, he shall be allowed to practice as a journeyman barber until he is called by the Board for the next term of examinations. Should he fail at the second examination, he must cease to practice barbering in this state.

Any apprentice who is at least sixteen and a half years of age and of good moral character and temperate habits as determined by an examination conducted by the Board, and has a certificate of registration as an apprentice in a state or country which has substantially the same requirements for registration as an apprentice as is provided by this Act shall, upon payment of the required fee, be issued a permit to work as an apprentice until called by the Board for examination to determine his fitness to receive a certificate of registration as an apprentice. Should he pass the required examination, a certificate of registration as a registered apprentice shall be issued to him, and the time spent in such other state or country as an apprentice shall be credited upon the period of apprenticeship required by this Act as a qualification to take the examination to determine his fitness to receive a certificate of registration as a registered barber.

Any person who has practiced as an apprentice in another state or country which does not have substantially the same requirements for registration as an apprentice as required by this Act and who has the qualifications required in Section 7 of this Act, shall be credited with the time so spent as an apprentice in such other state or country upon the period of apprenticeship required by this Act as a qualification to take the examination to determine his fitness to receive a certificate of registration as a registered barber.

Amend section 12 by striking out in lines 3 and 12 the word "continuously" so that said section as amended will read as follows:

12. *Resident Barbers.* Any person a resident of this state who has for two years immediately preceding the passage of this Act engaged in the practice of barbering at one or more established places of business shall be granted a certificate of registration as a registered barber without examination by making application to the Board on or before ninety days after the passage of this Act and paying the required fee.

Any person who prior to the passage of this Act was practicing barbering as an apprentice under the supervision of a practicing barber in this state, or who was practicing barbering in this state for a period of less than two years immediately preceding the passage of this Act, shall be granted a certificate of registration to practice as an apprentice by making application to the Board on or before ninety days after the passage of this Act and paying the required fee.

Such person shall, in either of the cases above mentioned, be given credit for the time so spent as a part of the time required under the provisions of Section 6 of this Act.

Amend paragraph (f) of section 15 by inserting after the word "drunkenness" the words, while employed, so that said section as amended will read as follows:

(f) Habitual drunkenness while employed or habitual addiction to use of morphine or cocaine or other habit-forming drugs;

The report was accepted.

Mr. Carroll of Laconia moved that the reading of the amendments be dispensed with.

The question being on the motion of Mr. Carroll.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The undersigned, a minority of the Committee on Public Health, to whom was referred House Bill No. 34 (in new draft), An act to regulate the practice of barbering, being

unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

RALPH G. PAGE,

ALPHONSINE DUGAS,

*A minority of the Committee.*

Mr. Mitchell of Campton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Mitchell.

(Discussion ensued)

On a *viva voce* vote the negative appeared to prevail.

Mr. Mitchell of Campton asked for a division.

A division being taken 161 members voted in the affirmative and 161 members voted in the negative.

The Speaker exercised his prerogative and cast the deciding vote in the negative and the motion to substitute did not prevail.

The question being on the amendments reported by the committee.

On a *viva voce* vote the amendments were adopted.

Mr. Lambert of Manchester offered the following amendments:

Amend by striking out paragraph d of section 5.

Amend section 21 by inserting after the word "council" in line 5 the words, to work in conjunction with the State Board of Health, so that said section as amended shall read as follows:

21. *Barber Board.* A board is hereby created to be known as the State Board of Barber Examiners, herein referred to as the Board, which shall consist of three members appointed by the Governor, with the advice and consent of the Council to work in conjunction with the State Board of Health. Each member shall be a practical barber who has followed the practice of barbering in this state for at least five years immediately prior to his appointment and one of whom shall be a journeyman barber and one of whom shall be a barber employing one or more journeyman barbers.

On a *viva voce* vote the amendments were not adopted.

The bill was then referred to the Committee on Appropriations under the rules.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 321, An act relating to the terms of the superior court.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 387, An act relating to the practice of optometry.

House Bill No. 388, An act to authorize the town of Webster to issue refunding notes and bonds.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 231, An act relating to New Hampshire home industries.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 25, An act relating to confiscation of liquor in certain cases.

Amend section 1 of said bill by adding at the end of said section the words, Any liquor or beverages so forfeited to the state shall be disposed of in such manner as the court



shall determine, so that said section as amended shall read as follows:

1. *Liquor and Beverages.* Amend chapter 3 of the Laws of the special session of 1934 by adding after section 31 the following new section: 31-a. *Forfeiture of.* Any person who is convicted of drunkenness, or of driving a motor vehicle under the influence of liquor, or of any violation of this act or of chapter 99, Laws of 1933, shall forfeit any liquor or beverages upon his person, or in said vehicle, if any, at the time of the commission of said offense, provided that this provision shall not apply to liquor or beverages legally in his possession for the purpose of sale. Any liquor or beverages so forfeited to the state shall be disposed of in such manner as the court shall determine.

On motion of Mr. Wilson of Manchester, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 156, An act relating to school districts.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Schools in the City of Manchester.* The city of Manchester may include military drill, physical exercises and supervised athletics in its course of instruction for pupils in its public schools, and may raise and appropriate money for those purposes. When money is so raised for said purposes the regularly appointed school authorities shall regulate said activities.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to military drill for the schools in the city of Manchester.

On motion of Mr. Kearns of Manchester, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

Amend the resolution by striking out the words, "and mileage," after the word, "salary," in line 3 so that the resolution as amended will read as follows:

That the State Treasurer is hereby authorized and directed to pay to Lillian M. White, widow of John E. White, late of Keene, the full salary due said decedent as a member of the House of Representatives.

On motion of Mr. Osborne of Sunapee, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following joint resolution in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon.

#### SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon.

The joint resolution was read a first and second time and referred to the Committee on Appropriations.

#### RESOLUTION

On motion of Mr. Cote of Manchester:

WHEREAS, This House has learned with sorrow of the death, yesterday, of Nazaire Beaudet, the oldest New Hampshire member of the Grand Army of the Republic,

*Resolved*, That the Speaker appoint a committee of five to draw up suitable resolutions on his death to be sent to the bereaved family.

The Speaker appointed as members of such committee Messrs. Cote, Aubin, Lariviere, Gelinas, and Turcotte of Manchester.

On motion of Mr. Brouillette of Manchester, House Bill

No. 144, An act regarding the weekly payment of wages, was taken from the table.

The question being on the amendments sent down from the Honorable Senate.

On motion of the same member the House concurred in the amendments.

The bill was then sent to the Secretary of State to be engrossed.

#### UNFINISHED BUSINESS

Mr. Remick of Bristol called for the unfinished business, House Bill No. 40, An act relating to the motor vehicle law.

The question being on the motion of Mr. Callahan of Keene that the vote whereby the House adopted the resolution reported by the Committee on Judiciary that it is inexpedient to legislate be reconsidered and with this motion pending that the motion to reconsider be laid upon the table.

Mr. Callahan of Keene withdrew his motion.

Mr. Remick of Bristol moved that the vote whereby the House adopted the resolution that it is inexpedient to legislate be reconsidered.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the negative appeared to prevail.

Mr. Leahy of Concord asked for a division.

(Discussion ensued)

A division being taken 180 members voted in the affirmative and 141 members voted in the negative.

Mr. Jones of Lebanon demanded the yeas and nays and with the demand pending moved that the House take a recess until 2:55 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Jones demanded the yeas and nays and the roll was called with the following result.

YEAS, 183

ROCKINGHAM COUNTY: Fitts, Foss, Cilley, Russell of Exeter, Little of Hampstead, Lyford, Sheehy, Estabrook of Newton, Marston of North Hampton, Barrett, Kittredge, Allen, Floyd, Chase.

STRAFFORD COUNTY: Locke of Barrington, Coffin, Keenan, Chabot, Howard of Dover, Neal of Dover, Hall of Dover, Keefe, Durnin, Henderson of Durham, Elliott of Madbury, Gotts, Brennan, Bergeron, Dickinson, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Varney, Hunt, Page, Beane of Laconia, Dodge, Guay, Alfred L., of Laconia, Carroll, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Wallis.

CARROLL COUNTY: Davis, Russell of Conway, Gale, Lyman, Banfield, Winkley, Weeks, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Morgan, Danforth of Bradford, Tallman, Shaw, Coakley, Robinson of Concord, Blood, Boutwell, Mansur, Blake, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Wylie, Lee, Ahern, Donovan, Ford, Buffum, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Colburn, Perkins of Pittsfield, Connor, Cloues.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Avery, Sym, Crowell, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Graf, Clougherty, Fitzgerald, Booth, Healy of Manchester, Ward 6, Jordan, Sullivan of Manchester, Cote, Farrell, Gagnon, Bolton, Moran of Manchester, Hayes, Getz, Kearns, McLaughlin, Sweeney of Manchester, Ward 11, Brouillette, Lambert, Barnes, Maker, Wadleigh, Weston, Barstow, Woodbury, Thompson of New Ipswich, Cummings of Peterborough, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Appleton, Firmin, Hammond, Perry of Jaffrey, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Bullock, Rice, Perry of Swanzey, Graves, Kiniry, Horner, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont,

Daly, Leahy, Quimby, Stetson, Johnson, Bailey, Cummings of Newport, Osborne.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Williams, Hunter, Marden, Parker, Lewis, Magoon, Simpson of Littleton, Burgault, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bagley, Bell, Mason, Ordway, Myler, Lombard, Ramsay, Whitcomb, Chandler of Gorham, Judd, Fuller of Stewartstown, Whitcher.

## NAYS, 142

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Stevens of Candia, Fogg, Abbott of Derry, Hepworth, Pillsbury, Thayer, Stevenson, Carlton, Adams of Londonderry, Pickering, Turcotte of Newmarket, Mudge, Peaslee of Plaistow, Tucker, Yeaton of Portsmouth, Harmon, Rose, Marston of Rye, Manor, Peever, Adams of Seabrook.

STRAFFORD COUNTY: Pomerleau, Durkin, Garland, McDonough of Dover, Gelinas of Farmington, Lefavour, Tanner, Emerson of Rochester, Turcotte of Rochester, Seavey, Lagueux.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Stafford, Dow.

CARROLL COUNTY: Clow.

MERRIMACK COUNTY: Courtemanche, Matott, Kemp, Maxham, Demers, Piper of Franklin, Carignan, Lemire, Bean of Franklin, Lafond, Turgeon, Warren, Sanderson, Sanborn, Howard of Wilmot.

HILLSBOROUGH COUNTY: Locke of Deering, Charois, Goodwin of Hudson, Smith of Hudson, Barnard, Bergholtz, Gage, McIntire, Dwyer, O'Reilly, Tobin, Corey, Betley, Sweeney of Manchester, Ward 5, Peloquin, Turcotte of Manchester, Gelinas of Manchester, Bouthiette, Richard, Driscoll, Levallee, Gallagher, Gaudreault, Roukey, Van Vliet, Aubin, Blanchette, Letendre of Manchester, Soucy, Daniel of Manchester, Ward 13, Lariviere, Woods, Fowell, Francoeur, Boilard, Letendre of Nashua, Charbonneau, Dion, Maynard, Moran



of Nashua, Ravenelle, Hough, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais, Mercer.

CHESHIRE COUNTY: Chickering, Hetherman, Keating, Shea, Roche, Huntley, Granger.

SULLIVAN COUNTY: Hosking, Thomas, Gaffney, Cutting, Reney, Downing, Farmer, Read of Plainfield, Cram, Emerson of Washington.

GRAFTON COUNTY: Remick, Mitchell, Graham, Bowles, Keyser, Scruggs, Jones of Lebanon, McNamara, Millen, Perley, Astle.

COOS COUNTY: Barden, Smith of Berlin, Palmer, Sullivan of Berlin, Bixby, Dugas, Gray, Willis, Cole, Marshall, Phelan. And the bill was indefinitely postponed.

#### SPECIAL ORDER

Mr. Jones of Lebanon called for the special order, House Bill No. 127, An act providing for appeal from the decision of the motor vehicle commissioner.

The question being on the resolution reported by the Committee on Judiciary that it is inexpedient to legislate.

On motion of Mr. Jones of Lebanon, at 1:15 o'clock the House took a recess until 2:30 o'clock.

(After recess)

Mr. Ahern of Concord in the Chair

On motion of Mr. Jones of Lebanon, House Bill No. 127, An act providing for appeal from the decisions of the motor vehicle commissioner, was laid upon the table and made a special order for Tuesday, April 30, at 11:01 o'clock.

Mr. Foss of East Kingston called for the special order, House Joint Resolution No. 92, Joint resolution in favor of Bernard Merrick of East Kingston.

The question being on the resolution reported by the Committee on Claims that it is inexpedient to legislate.

(Discussion ensued)

On motion of Mr. Foss of East Kingston the bill was laid upon the table and made a special order for Tuesday, April 30, at 11:02 o'clock.

At 2:50 o'clock the House took a recess until 2:59 o'clock.

(After recess)

On motion of Mr. Keefe of Dover at 3 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

### THIRD READINGS

On motion of Mr. Cilley of Exeter the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

Read a third time and passed and sent to the Senate for concurrence.

Mr. Keefe of Dover moved that Thursday, April 25, be made a working day and asked that an informal vote be taken on the motion.

The informal vote showed the majority of the members present favoring the motion.

On motion of Mr. Guay of Laconia at 3:08 o'clock the House adjourned.

---

### WEDNESDAY, APRIL 24, 1935.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

### LEAVES OF ABSENCE

Mr. Dugan of Nashua was granted leave of absence for the day on account of sickness in family.

Miss Bailey of Newport was granted leave of absence for the day on account of attending the florists' convention.

Mr. Barry of Nashua was granted leave of absence for the day on account of important business.

Mr. Goodwin of Hudson was granted leave of absence for the remainder of the week on account of important business.

Mr. Currier of Derry was granted leave of absence for the remainder of the session on account of important business.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 51, An act authorizing reimbursements to the State laboratory of hygiene.

House Bill No. 78, An act relating to the sale of eggs at retail or wholesale, defining fresh eggs and requiring markings of size.

House Bill No. 318, An act relating to the buying or selling of live poultry to be used for food.

House Bill No. 365, An act relating to deposits of cash by savings banks.

House Bill No. 376, An act relative to commitment to the State hospital.

House Bill No. 387, An act relating to the practice of optometry.

The report was accepted.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 172, An act relating to a bounty on woodchucks, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Adams of Seabrook for the Committee on Coastwise Improvements, to whom was referred House Joint Resolution No. 45, Joint resolution in favor of Little river in the town

of North Hampton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Adams of Seabrook for the Committee on Coastwise Improvements, to whom was referred House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out the last two sentences and inserting in place thereof the following: The Governor and council may institute proceedings for the taking by eminent domain of the land between the Ocean Boulevard and the ocean from said fish houses to said bath houses, for the purpose of perfecting the title of the state to such property. The governor with the advice and consent of the council is hereby authorized to draw his warrant out of any money in the treasury not otherwise appropriated, so that said resolution as amended shall read as follows:

That the sum of twenty-five thousand dollars (\$25,000) be and the same is hereby appropriated for the construction of a breakwater to improve and protect the ocean boulevard in the town of North Hampton commencing at the Little Boars Head fish houses, so called and running southerly to the Bath Houses, so called, approximately eleven hundred feet (1100'). Said appropriation shall be expended under the direction of the highway commissioner subject to the approval of the Governor and council. So far as is consistent with economy and efficiency the machinery, labor and material in the town of North Hampton shall be used. The Governor and council may institute proceedings for the taking by eminent domain of the land between the Ocean Boulevard and the ocean from said fish houses to said bath houses, for the purpose of perfecting the title of the state to such property. The governor with the advice and consent of the council is hereby author-

ized to draw his warrant out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time and laid upon the table to be printed.

Mr. Kearns of Manchester moved that the rules be suspended and the bill referred to a special committee consisting of the chairmen of the several county delegations.

The question being on the motion of Mr. Kearns.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 419, An act relating to the salaries of the commissioners of the county of Rockingham, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Adams of Londonderry the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county, with the recommendation that the bill be referred to the Committee on Judiciary.



The report was accepted and the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Hunter of Hanover the rules were suspended and the bill referred to a special committee consisting of the delegation from Grafton county.

Mr. Rose of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 338, An act relating to false statement of age by minors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the entire section and inserting in place thereof the following:

1. Amend section 31 of chapter 3 of the Special Session Laws of 1934 by adding thereto the following: Any person falsely representing his age to be twenty-one or more, for the purpose of obtaining liquors or beverages in violation of the provisions of this section, shall be guilty of a misdemeanor and shall be fined not more than ten dollars or imprisoned not more than ten days or both.

So that said section as amended shall read as follows:

31. *Sales Prohibited.* No licensee, sales agent, nor any other person, shall sell or give away or cause or permit or procure to be sold, delivered or given away any liquor or beverage to a minor, to an habitual drunkard, to an insane person, to a person under the influence of liquor, or to any other person to whom any court, selectman of a town, chief of police, overseer of the poor or the commission shall prohibit sale. In no case shall any section of this act be so construed as to permit the sale of liquor over a bar or in any so-called saloon or speak-easy. Any person falsely representing his age to be twenty-one or more, for the purpose of obtaining liquors or beverages in violation of the provisions of this section, shall be guilty of a misdemeanor and shall be fined not more than ten dollars or imprisoned not more than ten days or both.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Rose of Portsmouth for the Committee on Liquor

Laws, to whom was referred House Bill No. 222, An act relating to taking beer licenses from restaurants, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 222, An act relating to taking beer licenses from restaurants, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM B. CONNOR,

*A minority of the Committee.*

Mr. Connor of Sutton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Connor.

(Discussion ensued)

Mr. Clancy of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

Mr. Connor of Sutton asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Whitecomb of Dalton for the Committee on Appropriations, to whom was referred House Bill No. 397, An act relating to the New Hampshire-Vermont boundary, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Bill No. 35, An act relating to the blind, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Bill No. 341, An act relating to aid for the blind, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Van Vliet of Manchester offered the following amendments.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Amendment*. Amend chapter 115 of the Public Laws as amended by chapter 48 of the Laws of 1929 by striking out all of said chapter and inserting in place thereof the following new chapter:

1. *Commission*. There shall be a state commission of the blind, consisting of the governor and secretary of state board of health ex-officio, and three other members to be appointed by the governor and council. The term of office of the members so appointed shall be for six years and until their successors are appointed and qualified, except that the first members shall be appointed one for two years, one for four years and one for six years and thereafter for six years every two years. Vacancies occasioned by death or resignation shall be filled for the unexpired term.

2. *Compensation*. No compensation shall be paid other than reasonable expenses incurred in the performance of their duties, to be regulated by the governor and council.

3. *Advice*. The secretary of the state board of health shall give advice without additional compensation. Any ex-

penses incurred shall be charged to the state commission of the blind.

4. *Assistants.* Said commission may appoint such officers and agents as may be necessary to assist in carrying into effect the purposes of this chapter, no salary to exceed fifteen hundred dollars a year and such appointments to be subject to the approval of the governor and council.

5. *Register.* Said commission may prepare and maintain a register of the blind in the state, which shall describe their condition, cause of blindness, capacity for education and industrial training and such other data as the commission may deem advisable.

6. *Industrial Aid.* Said commission may act as a bureau of information and industrial aid for the blind, and for this purpose may furnish materials and tools to any blind person, and may assist such blind persons as are engaged in home industries in marketing their products, in finding employment and in developing home industries for them; and may ameliorate the condition of the blind by devising means to facilitate the circulation of books, by promoting visits among the aged or helpless blind in their homes, and by such other methods as they may deem expedient; provided, that the board shall not undertake the permanent support or maintenance of any blind person.

7. *Education.* Upon the recommendation of the state commission of the blind, assistance shall be furnished to such blind persons, in such amounts and at such schools or other institutions designed for the purpose, within or without the state, as the governor and council shall direct. The commission shall have general supervision of all blind children in the state, and see that such children receive suitable education, training and support.

8. *Cause and Prevention of Blindness.* It shall be the duty of the board to make inquiries concerning the causes of blindness, to learn what percentage of cases are preventable and to inaugurate and cooperate in any such preventive measures for the state as may seem wise.

9. *Examinations and Treatment.* The board may ar-

range for the examination of blind or partially blind persons, and may (I) with the approval of the selectmen of the town where they reside, recommend them to the county commissioners for treatment under the provisions of section 15 of this chapter in appropriate instances, or (II) in other cases, may obtain and pay for medical and surgical treatment of such persons whenever in the judgment of the board the eyes of such person may be benefited thereby.

10. *Beneficiaries.* Any person who, by reason of loss of eyesight, is unable to provide himself with the necessities of life, who has not sufficient means of his own to maintain himself, and who, unless relieved as authorized herein, would become a charge upon the public or upon those not required by law to support him shall be deemed a needy blind person.

11. *Residence.* In order to receive relief under these provisions, a needy blind person shall be a resident of the state for five consecutive years immediately preceding the date of application.

12. *Applications.* At least ten days prior to action on any claim for relief hereunder, the person claiming shall file with the state commission of the blind, a duly verified statement of the facts bringing him within these provisions. The list of claims shall be filed in the order of their reception in a book kept for that purpose, which record shall be open to the public.

13. *Certificates.* No certificate of qualification to draw money hereunder shall be granted until the applicant has filed a statement signed by a reputable physician skilled in diseases of the eye that he knows the applicant to be blind, and a statement by the selectmen of the town where the applicant resides that he has the residential qualifications to entitle him to aid, and their recommendation of aid to a certain amount, nor until the county commissioners are satisfied from such statements and upon such further examination as they may make that the claim is well founded.

14. *Relief.* Section 13 of said chapter 115 is hereby amended by striking out the words "one hundred and fifty"



in the third line of said section and inserting in place thereof the words "three hundred and sixty."

15. *Operations; Treatment.* If the state commission of the blind in the examinations of the qualifications of any person filing a claim for relief hereunder, or who may have been allowed such relief, shall determine upon the evidence of a registered physician and surgeon that the person might have such disability benefited or removed by proper surgical operation or medical treatment, and he files his consent in writing thereto, the state commission of the blind may expend for the purposes of such operation or treatment all or any portion of the relief which they might award him for one year; and in such case they shall pay the sum so awarded to the persons entitled to compensation for such operation or treatment, instead of to the person entitled to relief.

16. *Annual Examination.* The state commission of the blind shall make examination annually as to qualifications of any one receiving such aid, and increase or decrease the amount within the limits herein prescribed. If not satisfied that the person is qualified to receive aid, they shall remove such person from the list.

17. *Modifications.* The state commission of the blind may, at any time during the year, inquire into the qualifications and examine as to the disability and needs of, any person theretofore placed on such list; and in case they find that he is not qualified to draw further relief, or that such disability has been removed in whole or in part, they may, at any time thereafter, during such year, modify or change the amount theretofore found necessary for relief, or remove such person from such list.

18. *Perjury.* Whoever, to secure for himself or another the benefit provided in this chapter for needy blind persons, makes a false statement shall be deemed guilty of perjury.

19. *Reports.* The commission shall report to the governor and council, and legislature, biennially, their recommendation for such changes in existing laws as in their judgment the public good may require.

20. *Qualifications.* All agents and assistants chosen by

the provisions of the act must be legal residents of the state and have resided in the state for at least five consecutive years prior to the date of their appointment. Before such agents and assistants may be appointed they shall qualify as to fitness and training in accordance with regulations prescribed by the commission.

21. *Books and Records.* All books and records of any state commission pertaining to the blind shall be transferred to the state commission of the blind and held in its custody.

#### TRUST FUNDS

22. *Nesmith Fund.* There shall be appropriated annually thirty-seven hundred dollars, less the annual income derived from the Nesmith trust fund, to comply with the terms of the trust under the will of John Nesmith. And said thirty-seven hundred dollars shall be expended for the aid, support, maintenance and education of the indigent blind of the State of New Hampshire under the direction of the governor and council, as may be recommended from time to time by the state commission for the blind.

#### AID TO THE DEAF AND DUMB

23. *State Board of Public Welfare.* The state board of public welfare may act as a bureau of information and industrial aid for the deaf and dumb and for this purpose may gather such data as the board may deem advisable.

24. *Education of the Deaf and Dumb.* Upon the recommendation of the state board of public welfare, assistance shall be furnished to such deaf and dumb persons, in such amounts and at such asylums, schools or other institutions designed for the purpose, within or without the state, as the governor and council shall direct.

#### RIGHTS AFFECTED

25. *Assistance.* No assistance furnished under this chapter shall affect the settlement of any person nor his right to vote.

26. *Takes Effect.* This act shall take effect upon its

passage and all acts and parts of acts inconsistent with this act are hereby repealed.

The question being on the amendments offered by Mr. Van Vliet of Manchester.

(Discussion ensued)

Mr. Hunter of Hanover moved that the bill with the amendments pending be recommitted to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 305, An act to revise and amend the fish and game laws, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

The Committee of Conference on House Bill No. 111, An act in relation to tax collectors, presented the following report:

The Committee of Conference on House Bill No. 111, An act in relation to tax collectors, recommends that the House adhere to its position of non-concurrence.

HARRY MANSON,  
HAVEN DOE,

*Senate Conferees.*

WILLIAM J. NEAL,  
JOHN J. O'REILLY, JR.,  
DIXON F. VANCORE,  
CARL M. FOGG,  
LEON E. WISWALL,

*House Conferees.*

The report was accepted and the recommendation of the committee adopted.

The following report was presented:

*To the Members of the House:*

A minority of the committee appointed to investigate the possibility of the consolidation of State departments and commissions offers for your consideration the following report:

Massachusetts has its Fish and Game and Forestry departments under one head. Maine and Vermont have under one head Forestry, Fish and Game and Development. It would seem that these were closely allied as tourists, hunting and the woods go together. The advantage of a consolidation is economy as it means less office rent and overhead.

The Sealer of Weights and Measures department could be abolished and in its place two deputies could be attached to the Attorney General's office. We are informed that the work of this department is almost wholly testing of gasoline pumps. As you know the most of the cities and towns have sealers of weights and measures. The estimated saving here is \$7,000.00 per year.

The office of Criminal Investigator could be abolished. We understand that the cities and counties are carrying on similar work so for the most part this is duplication. Abolishment of this office would save \$7,000.00 per year.

There are a number of nurses in the employ of the Departments of Education, Health and Welfare. It would seem that if these were all put under one head; say Health, that quite a saving in traveling expenses could be made, and duplication or rather near duplication would be eliminated. It is difficult to estimate the economy that would result.

It is found that the State could save \$50,000 to \$60,000 per year by having the State Purchasing Agent buy all school supplies exclusive of books. At present fifty-three superintendents buy at retail \$150,000 worth of paper, pencils, chalk, etc., each year. In 1924-1926 Manchester's costs per pupil were \$1.67 and the average for the state \$1.91 per pupil. In 1928-1930 Manchester's costs were \$1.09 and the average for the state \$2.11 per pupil. Every superintendent at the end of the school year should forward to the purchasing agent an inventory of supplies on hand and a requisition for the supplies needed for the coming year. The purchasing agent could then standardize the supplies and buy them for forty per cent less than is paid now.

The states in the West and South employ one school superintendent per county. Apparently their educational systems

are satisfactory. We understand there are 53 superintendents located in the 10 counties of New Hampshire, or an average of 5.3 per county. Our normal schools and colleges are turning out well trained teachers so it would seem that we could eliminate 25 superintendents without injuring our educational system. This would mean a saving to the New Hampshire taxpayer of about \$125,000.00 per year.

It seems ingratitude to eat a fine dinner at Plymouth and then to recommend the closing of the Normal School there. The facts are: there is a surplus of teachers, graduates are not getting jobs, there are 424 married women teaching. The demand for new teachers in 1930 was nearly 400; in 1934 this demand had dropped to 166. Hence one normal school can take care of our teacher training for a couple of years. In 1930 there were 929 students in both normal schools; in 1934 there were 629 or one less in both schools than there were at Keene in 1930. The Plymouth school cost the State \$104,000.00 last year.

THOMAS J. BRACKETT,  
WILLIAM J. CALLAHAN,  
*A minority of the Committee.*

On a *viva voce* vote the report was accepted.

#### RESOLUTIONS

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this afternoon it be to meet on Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

Mr. Callahan of Keene offered the following resolution:

*Resolved*, That the Committee on Appropriations be instructed to report immediately on House Bill No. 221, An act relating to transportation of members of the Legislature.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Hunter of Hanover the rules were suspended to allow of the introduction of a report from a commit-



tee which had not previously been advertised in the Journal.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 421, An act relating to special town meeting in the town of Stewartstown, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Fuller of Stewartstown the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 225, An act relating to levy of execution on real estate.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Homestead Right.* Amend section 6 of chapter 214 of the Public Laws by striking out said section and inserting in place thereof the following: 6. *Levy.* The officer required to levy an execution on the debtor's property, in which a homestead right may exist, may levy the execution and set off or sell said property in accordance with the provisions of chapter 345 of the Public Laws, subject to any such homestead right.

2. *Repeal.* Sections 7 to 15 inclusive of chapter 214 of the Public Laws, relative to the procedure in setting off the homestead right in a levy of execution, are hereby repealed.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Graf of Manchester, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTION

Mr. Cote of Manchester presented the following resolution:

WHEREAS, This House of Representatives has learned of the death of Nazaire Beaudet, of Manchester, who was the oldest living member of the Grand Army of the Republic in New Hampshire, therefore

*Be it resolved,* That the members express their sincere sympathy to his family in their bereavement, and be it further

*Resolved,* That the Clerk transmit a copy of these resolutions to the family.

FRANCIS X. COTE,  
GEDEON A. TURCOTTE,  
JOSEPH O. GELINAS,  
JOSEPH P. AUBIN,  
WILFRED S. LARIVIERE.

On a *viva voce* vote the resolution was adopted.

#### TAKEN FROM THE TABLE

On motion of Mr. Blood of Concord, House Bill No. 389, An act establishing the office of State veterans service officer was taken from the table.

The question being on the amendment submitted by the committee.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Daly of Claremont presented the following:

WHEREAS, This House has learned with sincerest sorrow of the sudden death of a fellow member, Morris M. Freeman of Claremont,

*Resolved,* That the Speaker appoint a committee to attend

the funeral, to procure a floral remembrance, and to draw up suitable resolutions to be sent to members of the bereaved family.

The Speaker appointed the following as such committee: Messrs. Daly, Chandler, Hosking, Etsler and Stetson of Claremont.

#### SPECIAL ORDER

Mr. Graf of Manchester called for the special order, House Bill No. 125, An act to permit savings banks to establish life insurance departments.

The question being

Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the substitution.

Mr. Graf of Manchester asked for a division.

A division being taken, the vote was declared manifestly in the negative.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Keefe of Dover, at 1:40 o'clock the House took a recess until 2:15 o'clock.

#### AFTER RECESS

Mr. Keefe of Dover called for the special order, House Bill No. 292, An act relating to the police.

The question being

Shall the report of the minority that the bill ought to pass with an amendment be substituted for the report of the majority that it is inexpedient to legislate?

(Discussion ensued)

Mr. Emery of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

The question being on the report of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### RESOLUTION

Mr. Emery of Manchester presented the following resolution:

WHEREAS, All passenger trains of the Boston and Maine Railroad will run on a schedule advanced one hour, effective on and after April 29th, be it hereby

*Resolved*, That the House meet on working days at 10 o'clock for the morning session and two o'clock for the afternoon session for the remainder of the session.

On motion of Mr. Ahern of Concord the special orders assigned for Tuesday, April 30 at 11:01 o'clock and 11:02 o'clock were set for 10:01 o'clock and 10:02 o'clock respectively.

Mr. Shea of Keene presented the following resolution:

WHEREAS, The House of Representatives has learned with sorrow of the death of Harry Roche, brother of Carl D. Roche, representative from Keene, therefore

*Be it resolved*, That the members extend to the bereaved family their heartfelt sympathy, and be it further

*Resolved*, That the Clerk transmit to the family a copy of these resolutions.

JOHN F. SHEA,  
M. O. SPAULDING,  
COWLING HILTON,  
WILLIAM J. CALLAHAN,  
WILLIAM E. JONES,

*The Committee.*

On a *viva voce* vote the resolutions were adopted.

On motion of Mr. Shaw of Chichester at 4:18 o'clock the House adjourned.

### AFTERNOON

The House was immediately called to order in afternoon session.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 338, An act relating to false statement of age by minors.

House Bill No. 389, An act establishing the office of State Veterans service officer.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Osborne of Sunapee at 4:21 o'clock the House adjourned.

---

FRIDAY, APRIL 26, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., April 26, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*



On motion of Mr. Gage of Manchester at 9:01 o'clock the House adjourned.

---

MONDAY, APRIL 29, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., April 29, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

---

TUESDAY, APRIL 30, 1935.

The House met at 10 o'clock.

Prayer was offered by Rev. Mr. Monroe of Andover.

The following letter was read from the Speaker:

William J. Ahern,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the sessions Tuesday. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

#### LEAVES OF ABSENCE

Messrs. Carroll of Laconia and Richards of Manchester were granted leave of absence for the day on account of illness.

Mrs. Howison of Milford was granted leave of absence for the day on account of illness.

Mr. Crowell of Hancock was granted leave of absence for the week on account of absence from the State.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accept the report of the Committee of Conference to the following entitled bill, House Bill No. 111, An act in relation to tax collectors.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolution:

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 88, An act relating to the administration of the motor vehicle law.

House Bill No. 227, An act relating to grade crossings.

House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes and bonds.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 221, An act relating to transportation of members of the Legislature, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Callahan of Keene moved that the words "inexpedient to legislate" be stricken out and the words "ought to pass" be inserted in place thereof.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the negative appeared to prevail.

Mr. Callahan of Keene asked for a division.

A division being taken 216 members voted in the affirmative and 114 members voted in the negative and the motion prevailed.

Mr. Callahan of Keene moved that the rules be suspended and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Callahan.

Mr. Stevenson of Exeter asked for a division.

A division being taken 230 members voted in the affirmative and 93 members voted in the negative and the motion prevailed.

Mr. Shaw of Chichester demanded the yeas and nays and the roll was called with the following result:

YEAS, 225

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Stevens of Candia, Fitts, Fogg, Hepworth, Thayer, Cilley, Carlton, Sheehy, Pickering, Turcotte of Newmarket, Marston of North Hampton, Barrett, Dondero, Kittredge, Allen, Pray, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Manor, Peever, Floyd, Chase.

STRAFFORD COUNTY: Coffin, Pomerleau, Chabot, Durkin, Howard of Dover, Garland, Durnin, Gelinias of Farmington, Lefavour, Tanner, Gotts, Emerson of Rochester, Brennan, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Tighe, Lageux, Hodsdon, Boucher, Flanagan, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Little of Barnstead, Hunt, Page, Beane of Laconia, Guay, Alfred L. of Laconia, Stafford, Cantin, Dow, Gordon, Wallis.

CARROLL COUNTY: Mudgett, Thompson of Effingham, Gale, Lyman, Winkley.

MERRIMACK COUNTY: Courtemanche, Morgan, Danforth of Bradford, Tallman, Matott, Kemp, Lee, Donovan, Ford, Piper of Franklin, Carignan, Lemire, Bean of Franklin, Dempsey, Peaslee of Henniker, Lafond, Ball, Colburn, Shepard, Warren, Sanborn, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Gilson, Locke of Deering, Chandler of Francestown, Avery, Matheson, Sym, Charois, Craine, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Bergholtz, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Creighton, Healy of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Jordan, Gagnon, Peloquin, Turcotte of Manchester, Bouthiette, Gelinas of Manchester, McDonough of Manchester, Moran of Manchester, Gaudreault, Kearns, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Maker, Wadleigh, Woods, Bernard, Letendre of Nashua, Charbonneau, Dion, Maynard, Fournier, Ravenelle, Hough, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais, Baker, Thompson of New Ipswich, Jones of Pelham, Mercer, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Hanson, Clark, Callahan, Keating, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Roche, Wiswall, Huntley, Bullock, Granger, Perry of Swanze, Randall, Horner, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Daly, Hosking, Stetson, Gaffney, Johnson, Cutting, Reney, Barton, Downing, Farmer, Read of Plainfield, Emerson of Washington.

GRAFTON COUNTY: Goodwin of Bethlehem, Remick, Mitchell, Graham, Hardy, Sawyer of Franconia, Keyser, Scruggs, Jones of Lebanon, Millen, Legassie, Bishop, Astle, Simpson of Littleton, Lufkin, Cook.

COOS COUNTY: Bagley, Barden, Bell, Mason, Smith of Berlin, Henderson of Berlin, Ordway, Palmer, Sullivan of

Berlin, Brungot, Dahl, Martel, Bixby, Dugas, Myler, Stiles, Willis, Cole, Marshall, Judd, Whitcher.

## NAYS, 124

ROCKINGHAM COUNTY: Pillsbury, Foss, Benton, Russell of Exeter, Stevenson, Brackett, Little of Hampstead, Perkins of Hampton, Lyford, Adams of Londonderry, Estabrook of Newton, Mudge, Peaslee of Plaistow, Eliot of Raymond, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Keenan, Neal of Dover, Hall of Dover, Keefe, McDonough of Dover, Henderson of Durham, Elliott of Madbury, Greenfield.

BELKNAP COUNTY: Varney, Piper of Belmont, Dodge, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Neal of Meredith, Plastridge, Smart.

CARROLL COUNTY: Simpson of Bartlett, Russell of Conway, Banfield, Hoyt of Sandwich, Weeks, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Shaw, Coakley, Robinson of Concord, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Ahern, Demers, Stobie, Merrill of Loudon, Vancore, Perkins of Pittsfield, Sanderson, Connor.

HILLSBOROUGH COUNTY: Boynton, Wilson of Hollis, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Gage, Barnes, Weston, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur, Cummings of Peterborough, Heald.

CHESHIRE COUNTY: Chickering, Appleton, Hammond, Rice, Graves, Kiniry, Britton.

SULLIVAN COUNTY: Chandler of Claremont, Etsler, Thomas, Bailey, Cummings of Newport.

GRAFTON COUNTY: Yeaton of Benton, Bowles, Williams, Guyer, Hunter, Putnam of Hanover, Merrill of Haverhill, Marden, Hathorn, Hoyt of Lebanon, McNamara, Perley, Lewis, Magoon, Burgault, Grant, McLean, Merrill of Plymouth, Averill, Sawyer of Woodstock.



COOS COUNTY: Lombard, Ramsay, Whitcomb, Chandler of Gorham, Morris, Thompson of Lancaster, Hancock.

And two thirds of the members not having voted in favor of suspending the rules the motion did not prevail.

The bill was then ordered to a third reading.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 360, An act establishing a board of registration governing the practice of hairdressing and beauty culture, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 227, An act relating to grade crossings.

Amend section 1 of said bill by striking out the words "substituting therefor" in the second line and inserting in place thereof the words, "inserting in place thereof."

Further amend said section 1 by adding at the end of said section the words, The cost to the State of such apportionment shall be a charge upon the highway funds.

On motion of Mr. Kearns of Manchester, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 88, An act relating to the administration of the motor vehicle law.

Amend section 5 of said bill by striking out the words "section 4 of this act" and inserting in place thereof the

following words, and figures, sections 57 and 58 of chapter 100 of the Public Laws.

On motion of Mr. Neal of Meredith, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Joint Resolution No. 144, Joint resolution for the study of occupational diseases in New Hampshire, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the Governor and Council forthwith appoint a commission of nine persons to study occupational diseases in this State. The membership of the commission shall include three physicians, three representatives of labor and three representatives of industry in this State. Its investigation shall include a study of the types, frequency and causes of such diseases in this State, the severity and length of the disability occasioned thereby, methods of prevention and the adequacy of our compensation laws in such cases. The commission shall serve without pay and shall report its findings and recommendations to the next legislature.

Amend the caption of said resolution by adding before the word "for" the words, establishing a commission, so that said caption as amended shall read as follows:

Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

The report was accepted and the amendments adopted.

Mr. Blood of Concord offered the following amendment:

Amend said joint resolution by inserting after the word "pay" the words, and expenses.

On a *viva voce* vote the amendment was adopted.

The joint resolution was then ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary,

to whom was referred House Bill No. 67, An act relating to municipal lighting systems, reported the same in a new draft, with the recommendation that the bill in its new draft be printed and recommitted to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 101, An act relating to the duties of town tax collectors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Collectors of Taxes.* Amend section 30 of chapter 47 of the Public Laws by striking out said section and substituting in place thereof the following: 30. *Duties of Collector.* Every collector of taxes shall keep in suitable books provided for the purpose a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for non-payment of taxes; and these accounts shall be public records. The collector shall, on the first Saturday of every month, pay to the town treasurer all money collected by him up to that time. He shall then submit his tax books and lists to the treasurer and selectmen for inspection and computation, and if the treasurer or selectmen discover any errors therein they shall immediately notify the town auditors thereof; and thereupon the auditors shall at once examine the collector's records and make a report in writing to the selectmen and the state tax commission stating all errors that may be found.

The collector shall also submit his tax books and lists to the selectmen for inspection and examination whenever so requested by them. He shall on the first Saturday of each month maintain office hours in the Town Hall Building or other place designated as a meeting place for the selectmen, for the transaction of tax business. He shall make a written report to the town at the end of each fiscal year, which shall

contain the following information: The amount of taxes set down for him to collect; the amount of such taxes collected, together with any interest thereon; the amount of discount allowed, if any; the amount of taxes abated; a detailed list of uncollected taxes, and the amount received for such taxes as were payable for any prior tax year. This report shall also contain a detailed account of the sale by him of any property for non-payment of taxes.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 294 (in new draft), An act relating to neglected and delinquent children, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 294 (In new draft), An act relating to neglected and delinquent children, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

J. B. PERLEY,  
P. J. KITTREDGE,  
S. A. BULLOCK,  
ANTHONY BURGAULT,  
ELISABETH H. MASON,

*A minority of the Committee.*

Mr. Perley of Lebanon moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, May 7, at 10:01 o'clock.

On a *viva voce* vote the motion prevailed.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 295 (In new draft and with new title), An act creating a probation department for

the more efficient administration of justice, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 295 (In new draft and with new title), An act creating a probation department for the more efficient administration of justice, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

J. B. PERLEY,  
P. J. KITTREDGE,  
S. A. BULLOCK,  
ANTHONY BURGAULT,  
ELISABETH H. MASON,

*A minority of the Committee.*

Mr. Perley of Lebanon moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, May 7, at 10:02 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 153, Joint resolution in favor of Benjamin M. Chandler, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

#### SPECIAL ORDERS

Mr. Jones of Lebanon called for the special order House Bill No. 127, An act providing for appeal from the decisions of the motor vehicle commissioner.

The question being on the resolution reported by the Committee on Judiciary that it is inexpedient to legislate.

(Discussion ensued)



On a *viva voce* vote the resolution was adopted.

Mr. Jones of Lebanon asked for a division.

A division being taken, 156 members voted in the affirmative and 135 members voted in the negative and the resolution was adopted.

Mr. Foss of East Kingston called for the special order House Joint Resolution No. 92, Joint resolution in favor of Bernard Merrick of East Kingston.

The question being on the resolution reported by the Committee on Claims that it is inexpedient to legislate.

(Discussion ensued)

On a *viva voce* vote the resolution was not adopted.

The joint resolution was then referred to the Committee on Appropriations under the rules.

#### RESOLUTION

Mr. Daly of Claremont presented the following:

WHEREAS, The House has learned with sorrow of the passing of Representative Morris M. Freeman of Claremont and,

WHEREAS, From our associations and contact with him, we realize that his town and the State of New Hampshire has lost one of its able and loyal citizens, therefore

*Be it resolved*, That this House of Representatives hereby expresses its profound regret for the loss of this kindly gentleman and a true friend to mankind.

*Be it further resolved*, That the Clerk transmit a copy of these resolutions to the bereaved family.

JAMES D. DALY,  
HERBERT C. CHANDLER,  
P. EARL HOSKING,  
CLARENCE B. ETSLER,  
ALBERT STETSON,

*Committee on Resolutions.*

The resolutions were unanimously adopted by a rising vote.

On motion of Mr. Callahan of Keene at 12:27 o'clock the House adjourned.

## AFTERNOON

The House met at 2 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

House Bill No. 101, An act relating to the duties of town tax collectors.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 221, An act relating to transportation of members of the Legislature.

Read a third time.

The question being.

Shall the bill pass?

Mr. Stevenson of Exeter asked for a division.

A division being taken 140 members voted in the affirmative and 46 members voted in the negative.

There being no quorum present at 2:12 o'clock the House was declared adjourned and the bill went over into unfinished business.

---

WEDNESDAY, MAY 1, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## LETTER FROM THE SPEAKER

The following letter was read from the Speaker.

Mr. William J. Ahern  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Wednesday.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

#### LEAVES OF ABSENCE

Messrs. Bagley of Berlin, Benton of Exeter and Brunel of Concord were granted leave of absence for the day on account of important business.

Mr. Brouillette of Manchester was granted leave of absence for the remainder of the week on account of important business.

#### COMMITTEE REPORTS

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream gauge flow gauging stations, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of three thousand seven hundred and fifty dollars for the year ending June 30, 1936 and a like sum for the year ending June 30, 1937, be and hereby is appropriated

to be used and expended under the direction of the state planning and development commission for the purpose of cooperating with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations in streams in this state for the purpose of providing the people of this state with information that will further industrial development. The sum of twenty-seven hundred and fifty dollars shall be a charge upon the highway funds and the governor is authorized to draw his warrant for one thousand dollars out of any money in the treasury not otherwise appropriated for each of the two years.

The report was accepted.

Mr. Keefe of Dover offered the following amendment:

Amend the title of the bill by striking out the word "gauge" after the word "stream".

On a *viva voce* vote the amendment was adopted.

The joint resolution was then ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Bill No. 145, An act authorizing the state of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 372, An act laying out a highway on Kearsarge mountain, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 149, Joint resolution relating to an investigation of gas and electric rates, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

On motion of Mr. Moran of Nashua the joint resolution with the question pending was laid upon the table and made a special order for Wednesday, May 9, at 10:01 o'clock.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 407, An act relating to probate appeals, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 413, An act relative to the powers of the superior court, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:



1. Amend chapter 316 of the Public Laws by adding after section 12 a new section, to be known as section 12-a, to read as follows:

12-a. *Findings by Jury on Issues Framed.* In probate appeals and bills in equity, when issues are framed and tried by jury the verdict or findings of the jury shall be advisory, and may be modified or set aside as the court may order.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 416, An act relating to the superior court, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Callahan of Keene moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Callahan, that the bill be indefinitely postponed.

On a *viva voce* vote the negative prevailed.

Mr. Callahan called for a division.

A division being had, 108 members voted in the affirmative and 199 members voted in the negative and the motion did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 422, An act to repeal charters of certain corporations, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

#### CONFERENCE REPORT

The Committee of Conference to whom was referred House Bill No. 42, An act in amendment of the charter of the city of Concord, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and adopt the following amendments:

Amend section 14 of said bill by striking out the same and inserting in place thereof the following: 14. No commissioner shall hold any office in the government of the city of Concord nor in any department of said city during his term of office as said commissioner.

Amend section 16 of said bill by striking out the same and inserting in place thereof the following: 16. *Takes Effect.* This act shall take effect upon its passage.

WILLIAM M. COLE,  
CHARLES F. BUTLER,  
*Senate Conferees.*

WILLIAM J. AHERN,  
DONALD W. SALTMARSH,  
ROBERT H. SANDERSON,  
*House Conferees.*

The report was accepted and the recommendation of the committee adopted.

The bill was then sent to the Senate for concurrence in the adoption of the report.

Mr. Elson of Strafford for the special committee consisting of the delegation from the county of Strafford, to whom was referred House Bill No. 412, An act relating to register of deeds for Strafford county, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of section 1 and inserting in its place the following:

1. Amend section 15, chapter 40 of the Public Laws by striking out in line 2 the words "eight hundred" and inserting in place thereof the words, one thousand and forty, so that said section as amended shall read as follows:

15. *Assistant.* Said register may employ an office assistant who shall receive an annual salary not to exceed one thousand and forty dollars.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

#### FORWARDING OF BILL

House Bill No. 305, An act to revise and amend the fish and game laws, was taken from the table.

Mr. Guay of Laconia offered the following amendment.

Amend section 1 by striking out in line 39 (of the printed bill) the word "bear," so that the sub-division under "Game Animals;" shall read as follows:

*Game Animals:* Moose, caribou, elk, deer, wild rabbit and hare, and gray squirrel.

On a *viva voce* vote the amendment was adopted.

Mr. Sullivan of Berlin offered the following amendment.

Amend section 3 of Part IV, by striking out the words "except Coos" in line 2 of the printed bill, so that said section as amended shall read as follows:

3. Raccoons may be taken and possessed in all the counties of the state with the aid or by the use of a dog and gun from October 1 to December 1, and by the use of traps from

November 1 to January 1. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than ten raccoons in one season. No person shall hunt raccoons at night by the use of a rifle larger than twenty-two calibre, or by the use of shotgun shells carrying shot larger than number two.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 26, An act relating to the sale of liquor.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

House Bill No. 375, An act relative to paroled prisoners.

House Bill No. 408, An act relative to the New Hampshire Universalist State convention.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 280, An act relative to transfer of ownership of automobiles.

House Joint Resolution No. 98, Joint resolution in favor of J. I. Hilliard of Pittsburg.

The message also announced that the Senate has passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 56, An act relating to liability of towns.

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

## SENATE BILLS READ AND REFERRED

Senate Bill No. 56, An act relating to liability of towns.

The bill was read a first and second time and referred to the Committee on Revision of the Statutes.

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

The bill was read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended and the reference of the bill to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

## LETTER RECEIVED

The following letter was received by the Clerk:

To the House of Representatives,

Concord, New Hampshire

The family of Rev. William F. Whitcomb deeply appreciate and gratefully acknowledge the kind expression of sympathy in the form of resolutions from the House of Representatives.

The resolutions will always be cherished on account of Mr. Whitcomb's very pleasant relations with that branch of the Legislature in former years.

Very sincerely,

MRS. WILLIAM F. WHITCOMB.

## TAKEN FROM THE TABLE

On motion of Mr. Neal of Meredith Senate Bill No. 24, An act relating to safety glass on motor vehicles, was taken from the table.

The question being,

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Secretary of State to be engrossed.



## UNFINISHED BUSINESS

Mr. Stevenson of Exeter called for the unfinished business House Bill No. 221, An act relating to transportation of members of the legislature.

The question being,  
Shall the bill pass?

(Discussion ensued)

On a *viva voce* vote the bill passed.

Mr. Stevenson of Exeter asked for a division.

A division being taken 183 members voted in the affirmative and 106 members voted in the negative and the bill passed and was sent to the Senate for concurrence.

On motion of Mrs. Mason of Berlin at 12:05 o'clock the House adjourned.

## AFTERNOON

The House met at 2 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purpose of maintenance.

House Bill No. 305, An act to revise and amend the fish and game laws.

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 413, An act relating to the powers of the superior court.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

House Joint Resolution No. 132, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

Severally read a third time and passed and sent to the Senate for concurrence.

#### RESOLUTIONS

On motion of Mr. Martel of Berlin:

*Resolved*, That an invitation be extended to James E. Van Zandt, National Commander-in-Chief, V.F.W., to address the Senate and House of Representatives for a period of ten minutes, on May 9th.

On motion of Mr. Dion of Nashua:

WHEREAS, This House has learned of the death of Agnes Barry, sister of John Barry, representative from Nashua, therefore be it

*Resolved*, That the Speaker appoint a committee of three to draw up suitable resolutions of sympathy.

The Speaker appointed as members of such committee Messrs. Dion, Dugan, and Desmarais of Nashua.

On motion of Mr. Emerson of Washington at 2:18 o'clock the House adjourned.

---

THURSDAY, MAY 2, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

Mr. Ahern of Concord in the chair.

#### LEAVE OF ABSENCE

Mr. Marden of Holderness was granted leave of absence for the day on account of important business.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it

be to meet tomorrow morning at 9 o'clock and when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the Committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 26, An act relating to the sale of liquor.

House Bill No. 42, An act in amendment of the charter of the city of Concord.

House Bill No. 346, An act providing for an excise tax on margarine made of imported oils and fats.

House Bill No. 355, An act relative to the operation of motor vehicles.

House Bill No. 369, An act relating to exemption from taxation of property owned by the blind.

House Bill No. 375, An act relative to paroled prisoners.

House Bill No. 408, An act relative to the New Hampshire Universalist State convention.

House Bill No. 25, An act relating to confiscation of liquor or beverages in certain cases.

House Bill No. 144, An act regarding the weekly payment of wages.

House Bill No. 156, An act relating to military drill for the schools in the city of Manchester.

House Bill No. 225, An act relating to levy of executions on real estate.

House Bill No. 227, An act relating to railroad grade crossings.

House Bill No. 388, An act authorizing the town of Webster to issue refunding notes or bonds.

House Bill No. 399, An act authorizing the town of Epping to issue refunding notes or bonds.

House Bill No. 410, An act authorizing the town of Lyme to issue refunding notes or bonds.

House Joint Resolution No. 143, Joint resolution in favor of Lillian M. White.

Senate Joint Resolution No. 1, Joint resolution in favor of William Shively.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 83, An act relating to Cornish toll bridge, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and substituting in place thereof the following:

1. *Purchase Authorized.* The State Highway Commissioner with the advice and consent of the Governor and Council is hereby authorized and empowered to purchase for the state a certain toll bridge with approaches and appurtenances and the franchise for the same, known as the Cornish Toll Bridge, spanning the Connecticut River, if the same can be purchased for a sum not exceeding twenty thousand dollars.

2. *Appropriation.* A sum not exceeding twenty thousand dollars (\$20,000) is hereby appropriated for the purpose of the acquisition of said toll bridge as provided in section 1. Said sum shall be a charge upon the highway funds.

3. *Tolls.* There shall be collected for the use of said Cornish toll bridge and the approaches thereto if the same are acquired by the state such charges or tolls as the governor and council shall deem reasonable from the travelers thereon. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account designated by the name of the bridge and the operating expenses and the maintenance of said bridge shall be paid from these funds. The balance remaining after payment of the operating expenses and the maintenance shall be turned into the highway fund of the state upon warrant of the governor with the approval of the council at such time or times as he may designate. Toll collections shall continue until the Cornish Toll Bridge fund shall amount to \$20,000, provided this period

shall be for not less than ten years, at which time the governor and council may order cessation of tolls.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the following: Said appropriation shall be a charge upon the highway funds, so that said joint resolution as amended will read as follows:

That the sum of one hundred sixty-nine dollars (\$169.00) be and the same is hereby appropriated in favor of Gardner W. Flagg to reimburse him for expenses sustained by him as a result of accidental injury occasioned by alleged negligence of employees of the state highway department while employed on the road at Dimond Hill, Concord, on August 1, 1934. Said appropriation shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 115, An act relating to Meredith Neck road, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.



Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H. et als, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

Mr. Hunter of Hanover offered the following amendment:

Amend resolution by striking out the words "This resolution shall take effect upon its passage, and", in the last paragraph thereof.

On a *viva voce* vote the amendment was adopted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in lines 20, 21, 22, 23 and 24 the words "The governor with the advice and consent of the council is hereby authorized to draw his warrant out of any money in the treasury not otherwise appropriated" and substituting therefor the following, Said appropriation shall be a charge upon the highway funds, so that said joint resolution as amended will read as follows:

That the sum of twenty-five thousand dollars (\$25,000) be and the same is hereby appropriated for the construction of a breakwater to improve and protect the ocean boulevard in the town of North Hampton commencing at the Little Boars Head fish houses, so-called, and running southerly to the Bath Houses, so-called, approximately eleven hundred feet (1100'). Said appropriation shall be expended under the direction of the highway commissioner subject to the approval of the Governor and council. So far as is consistent with economy and efficiency the machinery, labor and material in the town of North Hampton shall be used. The Governor and council may institute proceedings for the taking by eminent domain of the land between the Ocean Boulevard and

the ocean from said fish houses to said bath houses, for the purpose of perfecting the title of the state to such property. Said appropriation shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 48, An act relating to descent, distribution and advancements, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 148, An act having reference to the homestead right, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing near Rockingham park in Salem to the Palham town line and from Halls crossing to the Methuen town line, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption by striking out in lines one, two and three the words: "from Halls crossing near Rockingham park in the town of Salem to the Pelham town line and" so that said caption as amended shall read as follows:

Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line.

Amend said resolution by striking out in line one the words and figures "thirty thousand dollars (\$30,000)" and inserting in place thereof the words and figures ten thousand dollars (\$10,000). Further amend by striking out in lines three and four the words "from Halls crossing, so-called, in the

town of Salem to the Pelham town line and the road" so that said resolution as amended shall read as follows:

That the sum of ten thousand dollars (\$10,000) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Halls crossing to the Methuen town line. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the State shall be a charge upon the highway funds.

The report was accepted.

The question being on the amendment.

Mr. Callahan of Keene moved that the bill be recommitted to the Committee on Public Improvements.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 14 (in new draft), An act relating to mortuary regulations, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend sub-section 3 of sub-division VII of section 1 of said bill by striking out in line four thereof the words "on their own account" so that said sub-section 3 shall read as follows: 3. *Appointment.* All appointees to the board shall be funeral directors, shall be citizens and residents of this state who have had at least five years of practical experience in funeral directing and in embalming, and shall have been engaged therein in this state for a period of at least five years. Two appointees shall be chosen from a list of at least four names to be submitted forthwith and upon the expiration of their respective terms of office their successors shall be chosen from another list of three names annually submitted to the governor and council by the New Hampshire Funeral Directors' Association.

Amend section 63 of said bill by striking out in line one thereof the words "be in effect on April 1, 1935" and inserting

in place thereof the words, take effect upon its passage, so that said section as amended shall read as follows:

63. *Takes Effect.* This act shall take effect upon its passage and all acts or parts of acts inconsistent with this act are hereby repealed.

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 373, An act in relation to emergency public works, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the following: "3. *Powers of Municipalities.* Every municipality shall have power and is hereby authorized:" and substituting in place thereof the following: "3. *Powers of Municipalities.* Except as herein provided, every municipality shall have power and is hereby authorized:"

Further amend said section 3 by adding at the end thereof the following sub-section: "X. No gas or electric heat, light, and/or power plants, water works and water distribution systems shall be constructed hereunder by any municipality, school district or village district, unless such municipality or district obtains from the Public Service Commission a certificate that the operation of such gas or electric heat, light, and/or power plants, water works and water distribution systems will not be in competition with any public utility engaged in business within such municipality or district operating under the jurisdiction of the Public Service Commission." so that said section 3 as amended shall read:

3. *Powers of Municipalities.* Except as herein provided, every municipality shall have power and is hereby authorized:

I. To construct, operate and maintain any public works project, within or without the municipality, or partially within and partially without the municipality, for the benefit or use of persons within or without the municipality.

II. To accept from any federal agency grants for or in aid of the construction of any public works project.

III. To contract debts for the construction of any public works project, to borrow money, and to issue its bonds to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds as hereinafter provided.

IV. To assess, levy and collect ad valorem taxes without limit as to rate or amount of all property subject to taxation to pay the bonds, and the interest thereon, issued to finance any public works project.

V. To fix, levy and collect fees, rents, tolls, or other charges for the use of or in connection with any public works project, and, in the event any agreements with holders of bonds shall be made as hereinafter provided, to fix, levy, and collect such fees, rents, tolls, and other charges in accordance with such agreements and subject thereto.

VI. To acquire by purchase, gift or the exercise of the power of eminent domain in any manner provided by law, and to hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property, in connection with any public works project, whether subject to mortgages, liens, charges or other encumbrances, or otherwise.

VII. To make contracts and execute instruments containing such terms, provisions and conditions as in the discretion of the governing body of the municipality may be necessary, proper or advisable for the purpose of obtaining grants, loans or other financial assistance from any federal agency pursuant to or by virtue of the Recovery Act; to make all other contracts and execute all other instruments necessary, proper or advisable in or for the furtherance of any public works project; and to carry out and perform the terms and conditions of all such contracts or instruments.

VIII. To enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations in or for the furtherance of any public works project.



IX. To do all acts and things necessary or convenient to carry out the powers conferred by this act.

X. No gas or electric heat, light, and/or power plants, water works and water distribution systems shall be constructed hereunder by any municipality, school district or village district, unless such municipality or district obtains from the Public Service Commission a certificate that the operation of such gas or electric heat, light, and/or power plants, water works and water distribution systems will not be in competition with any public utility engaged in business within such municipality or district operating under the jurisdiction of the Public Service Commission.

Amend section 10 of said bill by adding at the end thereof the following: "Nothing in this section shall be construed to alter, amend or repeal the provisions of chapter 226, Laws of 1921." so that said section as amended shall read as follows:

10. *Authorization of Construction of Public Works Project and Bonds by a City.* The construction of a public works project and the issue of bonds therefor by a city shall be authorized by resolution of the governing body at any regular or special meeting of such body called for that purpose, passed by at least a majority of all the members elected to each branch thereof and then in office, taken by ayes and nays and approved in writing by the mayor. Such resolution may be passed through all its stages of legislation at one session of the governing body, notwithstanding the provisions of any law. Any provisions of law requiring publication of such resolution and/or requiring the approval of the qualified voters of such city to the authorization of such issue of bonds or to the construction of a public works project shall not apply. Except as provided in this act, such resolution shall not be the subject of any election, vote at a meeting or referendum of the qualified voters of such municipality. In any city having an officer or board or commission with the power to veto any act of the governing body, if such officer or board or commission does not approve such resolution within a period of two days after the same shall have been passed by the governing body, such resolution shall be in

full force and effect, but if within such period of two days such officer or board or commission vetoes such resolution and returns the same to the clerk of the city with reasons for such veto, said resolution may be acted upon at any subsequent meeting of the governing body and if at that time is passed by a two-thirds vote of all the members elected to the governing body and then in office, such resolution shall be in full force and effect in accordance with the provisions of this act. Nothing in this section shall be construed to alter, amend or repeal the provisions of chapter 226, Laws of 1921.

The report was accepted.

The reading of the amendments having commenced, on motion of Mr. Kearns of Manchester the further reading was dispensed with.

The question being on the amendments reported by the committee.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 373, An act in relation to emergency public works, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOSEPH B. PERLEY,

*A minority of the Committee.*

Mr. Perley of Lebanon moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Wednesday, May 8, at 10:02 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 171, An act relative to acquisition of dams by the State, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 404, An act authorizing the town of Grafton to issue refunding notes or bonds, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 344, An act relative to a New Hampshire State industrial recovery act, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Mason of Berlin desired to be recorded as favoring the bill.

Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 414, An act relating to the school district of the town of Hampstead, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Cilley of Exeter the bill was recommitted to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 423, An act repealing an act amending the charter of the city of Nashua, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Fowell of Nashua the rules were suspended, the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 424, An act providing for the registration of weighing and measuring devices, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 425, An act relating to the establishment of the East Derry fire precinct, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Sullivan of Berlin moved that the vote whereby House Bill No. 148, An act having reference to the homestead right, was ordered to a third reading be reconsidered.

On a *viva voce* vote the motion prevailed.

The same member moved that the bill be put back upon its second reading and recommitted to the Committee on Revision of the Statutes.

The question being on the motion of Mr. Sullivan.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 426, An act relating to railroads and public utilities, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 427, An act to provide for the acquisition by the State of the summit of Mount Washington and other properties, with the recommen-

dation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 428, An act to stimulate economic recovery by the encouragement of building projects, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 154, Joint resolution relating to remodeling property and premises of Donat J. Cote of Franklin, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

Mr. Pray of Portsmouth for the special committee consisting of the chairman of each county delegation to whom was referred House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line sixteen the words: "in the county of Rockingham" and by striking out in line seventeen the word "auditors." and substituting therefor the word, commissioners. so that said section as amended shall read as follows:

1. *Treasurer, Rockingham County.* Amend section 12, chapter 39 of the Public Laws by striking out said section and inserting in place thereof the following: 12. *Salaries.* The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every



kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, four hundred dollars.

In Belknap, three hundred dollars.

In Carroll, three hundred dollars.

In Merrimack, four hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, two hundred dollars.

In Sullivan, two hundred dollars.

In Grafton, three hundred dollars.

In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

#### RESOLUTIONS

On motion of Mr. Henderson of Durham:

*Resolved*, That the use of Representatives Hall be granted the State Highway Department for a public meeting on Tuesday evening, May 14, at 7:45 o'clock, Daylight Saving Time, when Col. Willard T. Chevalier, author-engineer and authority on transportation will be brought to Concord by the "Film-Talker" in an interesting address on "The Road Ahead—Why Better Transportation." Colonel Chevalier's address to be followed by an illustrated talk on "Thirty Years of Highway Progress in New Hampshire" by Frederick A. Gardner, Public Relations Engineer of the State Highway Department, Concord, N. H.

Mr. Simpson of Bartlett presented the following:

WHEREAS, This House regrets the death of Lucius Hamlin, who represented the town of Bartlett, for three successive terms,

*Resolved*, That we pay tribute to his native ability and to his long-continued interest in our problems of government and citizenship, and

*Be it further resolved*, That the Clerk of the House be in-

structed to transmit a copy of these resolutions to his bereaved children.

SCOTT C. W. SIMPSON,  
STEPHEN W. CLOW,  
CHARLES B. HOYT,

*Committee on Resolutions.*

On a *viva voce* vote the resolutions were adopted.

Mr. Buffum of Dunbarton presented the following:

WHEREAS, The House of Representatives has learned with solicitude of the illness of His Excellency, Governor H. Styles Bridges, and

WHEREAS, This illness has been caused by excessive effort in the performance of the duties of his office on behalf of the people of the State of New Hampshire, therefore be it

*Resolved*, That the members of the House hereby express their appreciation of his untiring labors and offer their hope for his speedy and full recovery.

The resolutions were unanimously adopted by a rising vote.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 42, An act in amendment to the charter of the city of Concord.

House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

House Bill No. 301, An act relating to the Public Service Commission.

The message further announced that the Senate had recalled from the Governor, House Bill No. 41, An act relative to building and loan associations.

The message further announced that the Senate had adopted the report of the Committee of Conference to the following entitled bill, House Bill No. 42, An act in amendment to the charter of the city of Concord.

The message also announced that the Senate had passed a

bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 44, An act relating to the naming of certain bridges.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 44, An act relating to the naming of certain bridges.

The bill was read a first and second time and referred to the Committee on Public Improvements.

On motion of Mr. Callahan of Keene business in order at 2 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 83, An act relating to Cornish toll bridge.

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett et als of Newbury, N. H.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 48, An act relating to descent, distribution, and advancements.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Kearns of Manchester at 11:15 o'clock the House took a recess for 15 minutes.

(After recess)

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 38 (new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber Company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

## SENATE BILL READ AND REFERRED

Senate Bill No. 38 (in new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber Company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

The bill was read a first and second time and referred to the Committee on Appropriations.

On motion of Mr. Matott of Concord at 11:38 o'clock the House adjourned.

---

FRIDAY, MAY 3, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 3, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Nash of Concord at 9:01 o'clock the House adjourned.

MONDAY, MAY 6, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 6, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

On motion of Mr. Hancock of Milan at 7:31 o'clock the  
House adjourned.

---

TUESDAY, MAY 7, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

ADDRESS

George I. Breiel of Southgate, Ky., General Commanding  
the Patriarchs Militant of the World, addressed the House  
with the Honorable Senate attending.

MESSAGE FROM THE GOVERNOR

The Honorable Secretary of State appeared and laid be-  
fore the House the following veto message from His Excel-  
lency the Governor.

VETO MESSAGE

OF

GOVERNOR H. STYLES BRIDGES

To THE HONORABLE HOUSE OF REPRESENTATIVES

MAY 7, 1935.

House Bill 346 imposes a tax of ten cents a pound upon the  
sale of margarine containing fats and oils that have their  
origin from without the United States. Under existing tariff



schedules domestic producers have lost their markets to the fats and oils produced abroad, and have been forced to turn to the soap factories for the disposal of the product of their labor. This measure is admittedly aimed at the elimination of this type of foreign competition.

For many years I have actively opposed the importation to this country of foreign oils and fats, believing that the elimination of these products would be for the best interests of the nation as a whole and would favorably affect our dairy industry. I need not remind you that my sympathies are squarely behind this and other movements by our agricultural and manufacturing interests to insure the degree of protection needed for the maintenance of American standards of living. I wish that it were in the power of this legislature to effectuate the desired results. It is only because this power has been expressly withheld from us that I must disapprove this Bill.

The Federal Constitution has placed a prohibition upon state legislation that either by design or natural tendency imposes restrictions or burdens upon commerce with foreign nations. It will serve no purpose for us to inquire into the wisdom or necessity of this restriction, however desirable we may feel the mitigation of the consequences of competition to be.

The Federal government and the Federal government alone, I believe, has the power to act to obtain the complete desired results and the efforts of interested parties should be turned in that direction. I should be very glad, however, to have New Hampshire cooperate by legislation to assist in obtaining the results desired if it can be done in a manner that would be legal under our Constitution.

In the interval since this legislature assembled, the United States Supreme Court declared invalid the New York Milk Control Act in its application to the sale of milk in New York that had its origin in Vermont. That Act had strong social arguments in its support, placed the foreign producers in no worse position than those of New York and yet was rejected for its tendency to place a burden upon commerce.

The restrictions imposed by House Bill 346 are not merely incidental to a valid object of legislative action but are the moving factors of the Bill.

Our own state constitution confers no authority to use the taxing power to aid in the elimination of a commodity from the market. Were the power to impose such a tax conceded we have on repeated occasions been advised by our Supreme Court that the prime requisites of a valid and lawful tax were rate and value. In other words, the subject of taxation must be taxed according to its value, rather than at an arbitrary figure without regard to value. This Bill wholly disregards these mandates.

It is frequently said that it is the duty of the legislature to legislate, and of the courts to interpret, and as a corollary that legislative and executive duties do not call for an inquiry into the constitutionality of laws. While I agree with this in principle, I am still old fashioned enough to oppose the tendency that has become so widely prevalent in recent years of out and out disregard of our fundamental law. Careful investigation discloses that this measure would be unconstitutional. I feel it my duty, therefore, to veto this bill, although sympathizing with the motives which prompted its introduction and while whole-heartedly favoring the objective which the sponsors desire to accomplish.

H. STYLES BRIDGES,

*Governor.*

Message was laid upon the table.

#### LEAVES OF ABSENCE

Mrs. Howison of Milford was granted leave of absence for the day on account of illness.

Messrs. Dion of Nashua and Carroll of Laconia were granted leave of absence for the day on account of important business.

Mr. Bell of Berlin was granted leave of absence for the week on account of important business.

Mr. Chickering of Chesterfield was granted leave of absence for the week on account of illness.

## COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three thousand dollars (\$3,000.) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the road leading from Butler's corner on Deerfield South road to Ladd's corner on the Raymond road, provided that the town of Deerfield appropriates one thousand dollars (\$1,000.) for each of the two years. It is further provided that if the town of Deerfield makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of eight thousand dollars (\$8,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the Meredith-New Hampton road so-called in the town of Meredith and for the permanent improvement of the road leading from said road at

Joseph Smith's corner so-called through Meredith Center to the Laconia line, provided that the town of Meredith shall appropriate four thousand dollars (\$4,000) for each of said two years for this purpose. It is further provided that if the town of Meredith makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the state highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge for the Committee on Appropriations, to whom was referred House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farming-



ton leading to the Milton line known as Elm street, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the road leading from Farmington to the Milton line known as Elm street, provided that the town of Farmington appropriates for the same purpose the sum of two thousand dollars (\$2,000) for each of said two years. It is further provided that if the town of Farmington makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the public laws as amended by chapter 7 of the laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The said sums appropriated by the state and town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of four thousand dollars (\$4,000) for the

year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton, provided that the town of New Hampton appropriates the sum of two thousand dollars (\$2,000) for each of the said two years for the same purpose. It is further provided that if the town of New Hampton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of two thousand dollars (\$2,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the permanent construction and improvement of the road leading from Rumney to Stinson lake in the town of Rumney, provided that the town of Rumney appropriates the sum of one thousand dollars (\$1,000) for each of the said

two years for the same purpose. It is further provided that if the town of Rumney makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, Chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge for the Committee on Appropriations, to whom was referred House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of four thousand dollars (\$4,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the completion of the Gilmanton road, so called, leading from Alton to Gilmanton line, provided that the town of Alton appropriates two thousand dollars (\$2,000)

for each of the two years for the same purpose. It is further provided that if the town of Alton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935.

The report was accepted.

The reading of the amendments having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of five thousand dollars (\$5000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the road leading from Milton to the Farmington town line, provided that the town of Milton appropriates two thousand five hundred dollars (\$2500) for each of the two years. It is further provided



that if the town of Milton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the public laws as amended by chapter 7 of the laws of 1931 and section 4, chapter 17 of the laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from the New London town line to West Springfield in the town of Springfield, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of fifteen hundred dollars (\$1500) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the New London road, so called, leading from the New London town line to West Springfield in the town of Springfield, provided that the town of Springfield appropriates five hundred dollars (\$500) for each of the two years for the same purpose. It is further provided that if the town of Springfield makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19,



20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the laws of 1931, and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commission and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge for the Committee on Appropriations, to whom was referred House Joint Resolution No. 44, Joint resolution for the improvement of the main or Stage road, so-called, from Northwood line to Lee line in the town of Nottingham, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 51, Joint resolution for the completion of the road from Suna-

pee to Newbury, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in lines 1 and 2 the following, "fifteen hundred dollars (\$1500)" and substituting therefor the following, three thousand dollars (\$3,000), so that said joint resolution as amended will read as follows:

That the sum of three thousand dollars (\$3,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Pow Wow road, so-called, in the town of East Kingston, provided that the town of East Kingston appropriates the sum of one thousand dollars (\$1,000) for each of the said two years for the same purpose. It is further provided that if the town of East Kingston makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of section 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, and approved March 4, 1935. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner, and the sums appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rice of Rindge for the Committee on Appropriations, to whom was referred House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 130, Joint resolution in favor of Henry Boulanger, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 341, An act relating to aid for the blind, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being on the amendment offered by Mr. Van Vliet of Manchester.

(Discussion ensued)

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the Chair was in doubt.

Mr. Van Vliet of Manchester asked for a division.

A division being taken 160 members voted in the affirmative and 139 members voted in the negative and the amendment was adopted.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Van Vliet of Manchester moved that the rules be suspended, the reference of the bill to a committee be dispensed with and that the bill be made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Van Vliet.

Mr. Stevenson of Exeter asked for a division.

A division being taken 156 members voted in the affirmative and 146 members voted in the negative and two thirds of the members not having voted in the affirmative the motion to suspend the rules did not prevail and the bill was referred to the Committee on Appropriations under the rules.

Mr. Guay of Laconia for the Committee on Fisheries and Game, to whom was referred House Bill No. 330, An act relating to the taking of fish from certain waters, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 419, An act relating to the salaries of the commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meeting in the town of Stewartstown.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 328, An act relating to private employment agencies.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

Amend said bill by striking out all after the enacting clause and by inserting in lieu thereof the following:

1. *Appointment.* Amend section 13 of chapter 264 of the Public Laws, as amended by chapter 135 of the Laws of 1927, by striking out the words "when so nominated by any testator in his will" and by adding a new sentence at the end thereof,



"Nothing herein contained shall affect the rights of religious, charitable and eleemosynary corporations organized under the laws of New Hampshire to act in fiduciary capacities" so that said section 13, as amended, will read as follows:

13. *Appointment.* Any trust company or similar corporation, incorporated under the laws of this state, or any national bank duly authorized and located within the state, may be appointed trustee or executor in any case where an individual can be appointed, upon the same conditions and subject to the same control, requirements and penalties; but no corporation shall be appointed in any other fiduciary capacity. No trust company, similar corporation or national bank shall advertise or circularize the fact that it is authorized to act as executor. Nothing herein contained shall affect the rights of religious, charitable and eleemosynary corporations organized under the laws of New Hampshire to act in fiduciary capacities.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Leahy of Claremont the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

#### SENATE JOINT RESOLUTION READ AND REFERRED

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

The joint resolution was read a first and second time and referred to the Committee on Public Improvements.

#### TAKEN FROM THE TABLE

The veto message of His Excellency the Governor was taken from the table.

The question being

Shall the bill pass notwithstanding the veto of His Excellency the Governor?

Mr. Callahan of Keene moved that the veto message be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The roll was called with the following result:

YEA, 1

ROCKINGHAM COUNTY: Dagan.

NAYS, 279

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Fitts, Fogg, Hepworth, Pillsbury, Foss, Thayer, Ciley, Russell of Exeter, Stevenson, Carlton, Little of Hampstead, Perkins of Hampton, Janvrin, Adams of Londonderry, Pickering, Turcotte of Newmarket, Walker, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Dondero, Kittredge, Allen, Pray, Buckley, Abbott of Portsmouth, Eliot of Raymond, Marston of Rye, Manor, Peever, Chase, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Keenan, Pomerleau, Chabot, Garland, Neal of Dover, Hall of Dover, McDonough of Dover, Gelinas of Farmington, Lefavour, Elliott of Madbury, Gotts, Emerson of Rochester, Bergeron, Dickinson, Greenfield, Seavey, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Hunt, Page, Guay, Alfred L. of Laconia, Hoyt of Laconia, Stafford, Cantin, Merrill of Laconia, Simpson of Laconia, Gordon, Plastridge, Wallis, Smart.

CARROLL COUNTY: Davis, Mudgett, Russell of Conway, Gale, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Reardon, Morgan, Danforth of Bradford, Tallman, Shaw, Robinson of Concord, Kemp, Boutwell, Dame, Nash, Sturtevant, Maxham, Wylie, Lee, Ahern, Buffum, Demers, Piper of Franklin, Carignan, Lemire, Lafond, Ball, Merrill of Loudon, Colburn,

Shepard, Vancore, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Sanborn, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Gilson, Locke of Deering, Avery, Matheson, Sym, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Emery, Barnard, Bergholtz, Gage, Graf, McIntire, Dwyer, O'Reilly, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Clancy of Manchester, Ward 6, Cote, Peloquin, Turcotte of Manchester, Bolton, Bouthiette, Gelinat of Manchester, Moran of Manchester, Richard, Driscoll, Hayes, Levallee, Gallagher, Gaudreault, McLaughlin, Van Vliet, Aubin, Soucy, Daniel of Manchester, Ward 13, Barnes, Maker, Weston, Woods, Barstow, Winslow, Woodbury, Danforth of Nashua, Francoeur, Bernard, Barry of Nashua, Dugan, Charbonneau, Maynard, Fournier, Moran of Nashua, Ravenelle, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais, Baker, Thompson of New Ipswich, Mercer, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Appleton, Firmin, Clark, Hammond, Callahan, Keating, Shea, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Wiswall, Huntley, Bullock, Granger, Perry of Swanzey, Randall, Graves, Britton, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Daly, Etsler, Leahy, Quimby, Thomas, Gaffney, Johnson, Cutting, Barton, Bailey, Cummings of Newport, Downing, Osborne, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Mitchell, Bowles, Hardy, Sawyer of Franconia, Williams, Guyer, Hunter, Putnam of Hanover, Keyser, Merrill of Haverhill, Scruggs, Marden, Hathorn, Hoyt of Lebanon, Jones of Lebanon, McNamara, Millen, Perley, Bishop, Parker, Astle, Lewis, Magoon, Simpson of Littleton, Burgault, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill.

COOS COUNTY: Bagley, Mason, Henderson of Berlin, Ordway, Sullivan of Berlin, Dahl, Martel, Bixby, Dugas, Myler, Lombard, Ramsay, Gray, Whitcomb, Stiles, Willis, Towle,

Morris, Cole, Marshall, Judd, Fuller of Stratford, Whitcher. And the veto was sustained.

Mr. O'Reilly of Manchester moved that the order whereby House Bill No. 294, An act relating to neglected and delinquent children, was assigned as a special order for 10:01 o'clock and House Bill No. 295, An act creating a probation department for the more efficient administration of justice, was assigned as a special order for 10:02 o'clock be vacated and the bills made special orders for Tuesday, May 14, at 10:01 and 10:02 o'clock respectively.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Stevenson of Exeter at 12:20 o'clock the House took a recess until 1 o'clock.

(After recess)

The House was called to order.

Mr. Callahan of Keene moved that the vote whereby the order vacating the above special orders was declared in the negative be reconsidered.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Callahan of Keene the above special orders were vacated and the bills assigned as special orders for Tuesday, May 14 at 10:01 and 10:02 respectively.

On motion of Mr. Ahern of Concord at 1:25 o'clock the House adjourned.

## AFTERNOON

The House was called to order at 2 o'clock.

### THIRD READINGS

On motion of Mr. Callahan of Keene the third reading of joint resolutions was made in order by their captions.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road.



House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

Severally read a third time and passed and sent to the Senate for concurrence.

#### RESOLUTION

Mr. Jones of Lebanon offered the following resolution:

*Resolved*, That the Committee on Appropriations be and is hereby directed to bring in a report on House Bill No. 341, An act relating to aid for the blind, as amended, on Wednesday morning, May 8.

The question being on the resolution.

Mr. Osborne of Sunapee moved that the House adjourn.

The question being on the motion of Mr. Osborne.

Mr. Stevenson of Exeter asked for a division.

A division being taken 110 members voted in the affirmative and 39 members voted in the negative and a quorum not being present at 2:25 o'clock the House was declared adjourned.

---

WEDNESDAY, MAY 8, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Mr. Brunel of Concord was granted leave of absence for the day on account of important business.

Mr. Crowell of Hancock was granted leave of absence for the week on account of illness.

Messrs. Barrett of Portsmouth and Bergholtz of Manchester were granted leave of absence for the remainder of the session on account of important business.

COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 88, An act relating to the administration of the motor vehicle law.

House Bill No. 163, An act granting consent to the acquisition of land by the United States of America.

House Bill No. 419, An act relating to the salaries of the commissioners of the county of Rockingham.

House Bill No. 421, An act relating to special town meeting in the town of Stewartstown.

Senate Bill No. 24, An act relating to safety glass on motor vehicles.

Senate Bill No. 48, An act relating to descent, distribution and advancements.

House Joint Resolution No. 97, Joint resolution in favor of the town of Carroll.

The report was accepted.

Mr. Clow of Wolfeboro for the Committee on Appropriations, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 34 (in new draft), An act to regulate the practice of barbering, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 22 of said bill by striking out in lines 18, 19 and 20 the words "both compensation and expenses to be paid only from the fund created by fees collected in the administration of this act" and inserting in place thereof the following words: provided that said compensation and expenses shall be a charge upon the fund herein constituted and further provided that in case said fund shall be insufficient to pay said compensation and expenses the members of said board shall have no claim upon the state for said compensation, so that said section as amended shall read as follows:

22. *Duties and Compensation of Board.* The board shall select a president and secretary. The secretary may or may not be a member of the board. The board shall adopt and use a common seal for the authentication of its orders and records. The secretary shall keep a record of all the proceedings of the board. The secretary shall give to the state a bond for the five thousand dollars, with sufficient sureties to be approved by the board, for the faithful performance of his duties. A majority of the board in meeting duly assembled may perform and exercise all the duties and powers devolving upon the board.

Each member of the board shall receive as compensation the sum of five dollars for each day actually devoted to the work of the board and shall be reimbursed for his necessary traveling expenses incurred in the discharge of his duty, pro-

vided that said compensation and expenses shall be a charge upon the fund herein constituted and further provided that in case said fund shall be insufficient to pay said compensation and expenses the members of said board shall have no claim upon the state for said compensation. The board shall report annually to the governor and council a full statement of its receipts and expenditures and also a full statement of its work during the year, together with such recommendations as it may deem expedient. The board shall have authority to employ such inspectors, clerks and other assistants as it may deem necessary to carry out the provisions of this act and fix their compensation, provided however that the compensation and expenses of such assistants shall be paid only from the fund created by fees collected in the administration of this act.

The report was accepted and the amendment adopted.

Mr. Pillsbury of Derry moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Pillsbury.

(Discussion ensued)

On a *viva voce* vote the negative appeared to prevail.

Mr. Mitchell of Campton asked for a division.

A division being taken, 175 members voted in the affirmative and 133 members voted in the negative and the bill was indefinitely postponed.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of thirty-two dollars and fifty cents be allowed the Peterborough Hospital and the sum of sixty-four dollars and eighty cents be allowed William F. Pickford of Dublin for hospital bill and loss of income of said Pickford due to injury received July 19, 1933 while employed on state aid road

construction in the town of Dublin. Said sums appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of thirty-two dollars and fifty cents be allowed the Laconia Hospital for care and treatment, the sum of one hundred and fifty dollars be allowed Dr. A. Normandin for treatment, and the sum of two hundred dollars for loss of income be paid to Joseph Lettre of Laconia for loss of income due to injury incurred by him September 24, 1934 while working on the state road in the city of Laconia. Said sums appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No.



68, Joint resolution for the improvement of the Province road in the town of Gilmanton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Joint Resolution No. 78, Joint resolution for the improvement of highway leading

from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following: That the sum of four thousand dollars (\$4,000) for the year 1935 be and hereby is appropriated for the completion of the road leading from Wilson corner to the Sharon town line, in the town of Peterborough, provided that the town of Peterbor-

ough appropriates four thousand dollars (\$4,000) for the same year for the same purpose. It is further provided that if the town of Peterborough makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. Said sums appropriated by the state and town shall be expended under the direction of the highway commissioner, and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 104,

Joint resolution for the improvement of a road in Dummer, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in Boscawen, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of four thousand five hundred dollars (\$4,500) for the year 1935 be and hereby is appropriated for the improvement of Water Street, so called, in the town of Boscawen, leading from the old turnpike road to Beaver Dam Brook, provided that the town of Boscawen appropriates the sum of two thousand dollars (\$2,000) for the same year for the said purpose. It is further provided that if the town of Boscawen makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for Class II highways in said town under the pro-



visions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and substituting therefor the following:

That the sum of two thousand dollars (\$2,000) be and hereby is appropriated for the year 1935 for the completion of the Hancock road, so-called, in the town of Dublin, from Bond's corner to the Dublin-Harrisville town line, provided that the town of Dublin appropriates the sum of one thousand dollars (\$1,000) for the same year for the same purpose. It is further provided that if the town of Dublin makes the appropriation provided for herein and accepts the aid from the state under this resolution said town shall be entitled to apply for and receive state aid in the amount of one thousand eight hundred forty-eight dollars (\$1,848) for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.



Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sullivan of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Elliott of Madbury for the Committee on Appropriations, to whom was referred House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 147, Joint resolution for the completion of the unimproved

section of designated route No. 112 in the town of Landaff, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Joint Resolution No. 135, Joint resolution in favor of Augustus S. Burke and others, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Colburn of Newbury for the Committee on Agriculture, to whom was referred House Bill No. 239, An act relating to rabies among domestic animals, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 150, Joint resolution in favor of Henry Corran, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out in line one the words and figures "one thousand dollars (\$1,000)" and inserting in place thereof the words and figures two hundred dollars (\$200) so that said resolution as amended shall read as follows:

That the sum of two hundred dollars (\$200) be and the same is hereby appropriated to reimburse Henry Corran of Hooksett for damage to his property caused by highway construction. Said sum appropriated shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 153, Joint

resolution in favor of Benjamin M. Chandler, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 154, Joint resolution relating to remodeling property and premises of Donat J. Cote of Franklin, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 24, An act relating to the taking of lobsters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 71, An act relating to the training of hunting dogs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 86, An act to close Sunset lake in the town of Greenfield to ice fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 152, An act

relating to the deer season in Sullivan county, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 202, An act relating to trapping of bear, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 263, An act relating to the taking of fox and raccoon, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 269, An act relating to the taking of pickerel, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 335, An act relating to the taking of pickerel, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and

Game, to whom was referred House Bill No. 361, An act relating to the taking of pike perch, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing near Rockingham park in Salem to the Pelham town line and from Halls crossing to the Methuen town line, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption by striking out in lines one, two and three the words: "from Halls crossing near Rockingham park in the town of Salem to the Pelham town line and" so that said caption as amended shall read as follows:

Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line.

Amend said joint resolution by striking out in line one the words and figures "thirty thousand dollars (\$30,000)" and inserting in place thereof the words and figures five thousand dollars (\$5000.); further amend by striking out in lines three and four the words "from Halls crossing, so called, in the town of Salem to the Pelham town line and the road"; further amend by adding after the word "line" in line five the words: "provided that the town of Salem appropriates five thousand dollars (\$5000.)" so that said resolution as amended shall read as follows:

That the sum of five thousand dollars (\$5000.) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Halls crossing to the Methuen town line, provided that the town of Salem appropriates five thousand dollars (\$5000.). Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.



The report was accepted, the amendments adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of sixteen thousand five hundred dollars be and hereby is appropriated for the purchase of materials and equipment for the purpose of widening and improving a certain road in the town of Gilford known as the Mountain Road, which is a continuation of the state road from the city of Laconia through Gilford Village to the Winnepesaukee Shore Road; provided that the federal government makes a grant for the development of a ski jump on said road and that the construction of said road shall be made by labor provided by federal funds; also provided that the town of Gilford appropriates eight thousand five hundred dollars for the purchase of materials and equipment for said purpose of widening and improving the Mountain road, so called. The sum hereby appropriated shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

The report was accepted.

The question being on the amendment.

On motion of Mr. Mitchell of Campton the joint resolution was recommitted to the Committee on Public Improvements.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 8, An act relative to disposal of fines imposed under the fish and game and motor vehicle laws and laws relative to weights and measures, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Brown of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 21, An act reducing the interest which may be charged for the late payment of taxes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Callahan of Keene moved to amend the report by striking out the words "it is inexpedient to legislate" and inserting in place thereof the words "the bill ought to pass."

The question being on the motion of Mr. Callahan.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Callahan of Keene.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 266, An act authorizing cities and towns to license and regulate the cleaning and dyeing industry, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 406, An

act relating to redemption of land sold for taxes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 56, An act relating to liability of towns, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hanson of Gilsum for the Committee on Transportation, to whom was referred House Bill No. 113, An act relating to weight of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Transportation, to whom was referred House Bill No. 113, An act relating to weight of motor vehicles, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

THOMAS J. McNAMARA,  
GERTRUDE N. HOWISON,  
CHARLES C. MAGOON,  
JOHN P. DEMPSEY,  
PHILIAS J. CHABOT,  
EDWARD S. GORDON,  
JOHN J. JORDAN,  
F. M. PICKERING,

*A minority of the Committee.*

Mr. Magoon of Littleton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Magoon.

(Discussion ensued)

On motion of Mr. Jones of Lebanon the bill with the accompanying reports was laid upon the table and made a special order for Wednesday, May 15, at 10:01 o'clock.

Mr. Barnard of Manchester for the special committee consisting of the delegation from the city of Manchester, to whom was referred House Bill No. 395, An act relating to municipal courts, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 196, An act relating to the administration of anesthetics.

The message further announced that the Senate had recalled from the Governor for further consideration House Bill No. 301, An act relating to the Public Service Commission.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 206 (in new draft and new title), An act relating to State, county and municipal contracts.

Amend section 2 of the bill by inserting in line 8, after the word "state" the following: and who so far as practicable employ resident laborers of the state; so that said section as amended shall read:

2. *Preference.* In the award of any contract by any state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state and who so far as practicable employ resident laborers of the state, shall be preferred except where the added cost from such preference would be clearly burdensome. The decision of the state, county or municipal agency upon this issue shall be final.

Further amend said bill by striking out the whole of section 3 and renumbering section 4 so that it will read section 3.

On motion of Mr. Ahern of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTIONS

Mr. Cormier of Nashua offered the following resolution:

WHEREAS, This House of Representatives has learned of the death of Agnes Barry, sister of John Barry, Representative from Nashua, therefore, be it

*Resolved*, That the heartfelt sympathy of the representatives be extended to their fellow member in his bereavement; and be it further

*Resolved*, That the Clerk transmit a copy of these resolutions to Representative Barry.

HENRY DION,  
ROLAND R. DESMARAIIS,  
JOHN DUGAN,

*Committee on Resolutions.*

On a *viva voce* vote the resolutions were adopted.

Mrs. Howison of Milford offered the following resolution.

The members of this House having learned with sorrow of the death of Arthur L. Keyes of Milford, a former member of the House for several sessions,

*Resolved*, That the Speaker appoint a Committee of three to draw up suitable resolutions on his death, to be sent to the bereaved family.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee Mrs. Howison, and Messrs. Weston and Wadleigh of Milford.

#### SPECIAL ORDER

Mr. Moran of Nashua called for the special order House Joint Resolution No. 149, Joint resolution relating to an investigation of gas and electric rates.



The question being on the resolution reported by the Committee on Appropriations that it is inexpedient to legislate.

(Discussion ensued)

Mr. Hart of Wolfeboro moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Perley of Lebanon the order whereby House Bill No. 373, An act in relation to emergency public works was made a special order for 10:02 o'clock was vacated and the bill made a special order for Wednesday, May 15, at 10:02 o'clock.

On motion of Mr. Ahern of Concord, Senate Bill No. 56, An act relating to liability of towns, was put back upon its second reading.

On motion of the same member the bill was recommitted to the Committee on Revision of the Statutes.

On motion of Mr. Neal of Meredith at 12:17 o'clock the House adjourned.

## AFTERNOON

The House met at 2 o'clock.

### THIRD READINGS

On motion of Mr. Hart of Wolfeboro the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 395, An act relating to municipal courts.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 74, Joint resolution for the improvement of the Province road in Barnstead.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

#### VOTE RESCINDED

On motion of Mr. Brouillette of Manchester the vote whereby the House adopted the amendments sent down from the Honorable Senate to House Bill No. 206, An act relating to State, county, and municipal contracts was rescinded.

The bill was then returned to the Senate for corrections of the amendments.

On motion of Mr. Sanderson of Pittsfield at 2:24 o'clock the House adjourned.

Severally read a third time and passed and sent to the Senate for concurrence.

---

THURSDAY, MAY 9, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### IN CONVENTION

The two branches being in convention the Honorable Secretary of State then appeared and delivered the following message from His Excellency the Governor.

## MESSAGE FROM THE GOVERNOR

The purpose of this message is to deal directly with the timely questions of State revenues and expenditures. The present administration had not proceeded far before it was apparent that New Hampshire would need new or increased revenue. As will appear later, a number of our current appropriations and receipts from bond issues provided by the Legislature of 1933 were entirely exhausted. No major revenue measures have been introduced into this Legislature and the requests for increases under the budget and for special appropriations have been as large or larger than in previous legislatures. The fiscal affairs for you to consider have now reached a climax which must be settled before you adjourn. Most bills carrying appropriations have now either been disposed of or are before the Committee on Appropriations. It is time to act with dispatch so that we can adjourn at the earliest possible date.

In anticipation of this situation I called together two weeks ago the Committee on Appropriations of the House, the Finance Committee of the Senate and the Ways and Means Committees of both the House and the Senate. At this meeting a thorough canvass was made of the whole field of revenues and expenditures. Since that time the Committees on Appropriations and Finance have been working diligently on appropriation items and the Committees on Ways and Means have been busy on revenue measures. Frequent conferences have been held between the members of all these committees and they have consulted with me from time to time as to their progress. As a result I am now able to present this statement on the important features of the financial condition of the State, the money necessary to carry us for the next two years and the revenue sources from which it must be raised.

## IMPORTANT FEATURES OF PRESENT STATE FINANCES AND DEBT

It is necessary to call your attention to certain facts relative to our financial background in order that you may have

a complete picture of our financial situation. Taking up first, relief finances, we find that the proceeds from the bonds issued for direct relief, amounting to \$2,400,000, for the last fiscal year and for one-half of the present fiscal year had been expended when the old relief set-up ended on January 1, 1935. It was found at that time that certain cities, towns and counties had not made payment to the State of their share of the expenses of relief and partly in consequence several hundred thousand dollars of relief bills were unpaid. It became necessary to borrow \$400,000, some of which has been repaid and most of which will be repaid, to pay the bills and liquidate the old relief system. Besides the bonds for direct relief, the Legislature of 1933 authorized the issue of bonds for each of the years ending June 30, 1934 and June 30, 1935, for the following amounts and purposes: For Rural Highways \$900,000; for Forestry Improvement \$100,000; for General Relief and Unemployment Improvement \$200,000. The funds for rural highways were expended as contemplated and the major portion of the money raised by these bonds for other purposes had been expended before the first of the calendar year. The major portion of the emergency fund of \$60,000 for the Governor and Council to use at their discretion to meet emergencies was expended on January 1, and all of the \$1,500 Governor's contingency fund was expended, so it became necessary for the Legislature to appropriate \$23,302.62 for the restoration of these funds for the balance of the fiscal year.

The appropriation for mothers' aid was exhausted at the start of the new administration and one of the first duties of this Legislature was to enact an emergency appropriation to carry on for the remainder of the fiscal year of \$34,614.00. You have also made appropriations for the balance of this year including funds for publicity, the planning board, war service recognition, fish and game, and the public utility survey. The State has been operating on a basis of a general deficit during both the years of the present biennium and it appears that there will be an accumulative deficit, largely due



to decreased revenue, at the close of the fiscal year of close to \$500,000.

I would like to mention here the Highway financial situation even though it does not directly concern us in the balancing of the budget, due to the use of special funds for highway purposes. We started our Highway fiscal year with approximately \$800,000 less funds available than the average for the past five years. This has been a severe handicap to us in our Highway program, and I appreciate the cooperation of the Legislature in adopting my recommendation of failing to grant special appropriations for roads, many bills providing for which, are under consideration by you at the present time. One million dollars of highway bonds authorized by the Legislature of 1929 were issued this year and sold at the best rate that New Hampshire has ever been able to obtain for long term credit, or on a 1.35 per cent basis. The funds obtained through the sale of these bonds will be used as provided.

You have in the relief bill authorized the issuance of \$3,000,000 of notes for direct relief, \$600,000 of this is for the balance of the present fiscal year and \$1,200,000 for each of the two succeeding years.

With this authorization of temporary borrowing for relief purposes, it is hoped that the loans may be retired as fast as created from excess funds available in the sinking fund, therefore paying for relief out of current revenue.

We have been disappointed that no assurances are forthcoming that more funds for direct relief will be given New Hampshire. If this proves to be the case and our relief load increases and the same is to be taken care of jointly by our cities, towns, and counties and the State, it will constitute a very serious problem for the State which may require the alteration of our whole financial policy. It has already created a serious problem for many of our political subdivisions. There are towns and cities now in New Hampshire that are already staggering under the burden of relief and I have great fear as to how long they will have the ability

to handle their share of this abnormal burden. It was expected when our relief laws were enacted that substantial assistance would be forthcoming from the Federal Government. New Hampshire is a small State and a poor State. However, we have provided by the legislation already enacted for more funds over the next biennial period for relief than were set by the Federal Relief Administration as New Hampshire's proportionate share of the burden. We had all assumed that if we met their requirements that the amount needed above the sum available would be furnished by the Federal Relief Administration. I have not given up all hope that we may secure more assistance than what appears in prospect at the present time. New Hampshire is facing many crucial problems of which the textile situation is typical, and which, if the worst comes about, would entirely upset our relief plans and place an unbearable burden on both the State and the many communities involved. The Legislature of 1931 passed an act setting up a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness. Into this fund go the proceeds of the utility franchise tax and the estate tax, and the Legislature of 1933 applied to this fund the fees from horse racing, the fees from permits for the sale of malt beverages and the net receipts from the sale of liquor through state stores. If we add to what has been covered into this debt retirement fund since the beginning of the present fiscal year, July 1, 1934, a careful estimate of what we are likely to receive between now and June 30 next, we find that these three sources of revenue will probably produce over \$1,200,000.

The sale of liquor through state stores, which began last August, will by June 30 have returned its working capital which was advanced by the State Treasury and established a sufficient working capital of its own. For the biennium beginning July 1, 1935, this source of revenue should be substantial, but it is doubtful if the receipts from horse racing will be as great on account of competition from other states. It would not be safe to estimate the revenue from these sources at over \$1,500,000 annually. Against this revenue

we have already authorized the issuance of \$1,200,000 of temporary loans for each of the next two years for relief work. Also there will be out whatever of the \$600,000 recently authorized for relief remains unpaid July 1. I believe that the accumulative deficit which the State will face on June 30, 1935, around \$500,000, should be bonded.

Our financial difficulties are due more to over-estimating revenues than to under-estimating expenditures. It is important that this debt retirement fund be kept abreast of our needs. One method which has been considered by the committees considering this problem is to increase the tax on malt beverages from \$1.00 to \$2.00 a barrel without any increase in the permit fees. It is estimated that this increase, which amounts to one-third of a cent on a bottle of beer will add about \$150,000 annually to our debt retirement fund.

I have considered this matter first and separated it from the consideration for current revenues for general purposes because it is important to differentiate between revenue for debt retirement and that for current expenditures.

#### ANNUAL EXPENDITURES AND REVENUES FOR THE NEXT TWO YEARS

Let us now consider what we must provide for the next two years and how it may be raised. The Appropriations Committee advises me that if the Department and the Institution requests now before the Committee are granted, the total estimated for each of the next two fiscal years will be some under \$1,000,000 for the year ending 1936 and some over \$1,000,000 for the year ending 1937. This would include the restoration of the 10% salary reduction of state employees, the requests for increases for our State Departments and Institutions and bills carrying special appropriations which have received strong support.

From the above statement it is apparent at once that most of the requests for increases and special appropriations the committee will not be able to report favorably. I wish to digress here for just a moment to say that I know how hard and carefully the Committees on Appropriations and Finance

have been working to give the most unbiased and careful consideration to the requests of all our State Departments and Institutions and special appropriation bills. Their reports to you on the budget and special bills will be the result of long and careful deliberation and I bespeak your support for the reports to you which these Committees will make.

The Appropriations Committee further reports to me that if they allow only the increases which seem to them vitally necessary to meet human needs and public services and allowing for the restoration of the 10% salary cut, there will be a difference of \$600,000 to \$700,000 for each of the next two years between the estimated expenditures and the revenues, the major portion as a result of the very substantial shrinkage of revenue. Our immediate problem is to find the revenue to cover these differences.

#### REVENUE MEASURES

I want to call your attention to the fact that a large part of our present State revenue is either collected and spent for specific purposes or is added to the sinking funds to retire our State debt; so that it does not go into the general funds of the State and is not available to be used for the running of State Departments and Institutions nor for appropriations for new activities. An example of the revenues collected and spent for specific purposes under the law are the highway funds coming from the gasoline road toll and the registration of motor vehicles, all of which is used for highways. An example of the revenues used for sinking funds are the franchise tax on electric and gas utilities, the beer tax, the receipts from liquor and the race track.

Taxes for general purposes are the only ones available for the State budget of our Departments and Institutions and for special appropriations, and the only ones from which the Legislature appropriates for the items previously referred to which the Appropriations Committee is now considering. There are many of these revenue items but the important ones are:

The tax on the public service corporations.



The Legacy or Inheritance tax.

The tax on insurance companies.

The State tax assessed annually on the towns and cities.

Some of these will have to be increased or new sources of revenue added by legislation before we can balance our budget for the next two years, and I firmly believe in balancing our budget.

#### THE PROBLEM OF FIGURING A BALANCED STATE BUDGET

In considering what of the above taxes we should increase and what new taxes should be added, I would like to mention one important difficulty and weakness in figuring out a balanced State budget; namely, the uncertainty of revenues. Expenditures can be estimated very closely. With the Comptroller's system in operation and working on the general State budget plan, experience has shown that the estimates made and recommended by Appropriations Committees in the past and approved by the Legislature are reasonably accurate. Our Departments and Institutions, generally speaking, have lived within the amounts appropriated for them. Revenues, however, cannot be so closely estimated, they fluctuate over periods of time and sometimes from year to year.

Now the revenues from most of our present sources are declining. This is not difficult to account for. Property and estate that is the subject of taxation has been declining in value for several years. In a period of steadily lowering values revenues from taxation also decline. Since anticipated revenues for each biennium are to a great extent estimated on the basis of those of the previous year, in times like the present the revenue receipts are apt to fall below the estimates. This is just what has happened in New Hampshire. Two years ago the Legislature was obliged to issue bonds to meet a deficit of \$430,000. For the biennial period, 1933-34, 1934-35, we find the budget as made two years ago is now out of balance by about \$500,000. This is not due to over-expenditure, our Departments have gen-



erally lived within their allotments. It is mainly because revenues as anticipated two years ago have fallen short of estimates. I have already recommended the method of caring for this deficit, but I think we should let it be a warning to us at this time to make our revenue estimates conservative and safe and bring our appropriations within them.

#### NEW REVENUES RECOMMENDED

In my first message at the beginning of this session I stated that I would ask the Tax Commission to study the possibilities of a sales tax for New Hampshire. Such an investigation has been in progress for several months. The Tax Commission advises me that they have studied the sales taxes of the states now collecting revenue from this source: that in most of these states collections constitute an important item in the states' revenues, and in many of them the administration appears to be satisfactory. Sales tax legislation by states, however, is comparatively new and amendments have been many. Some of the sales tax provisions of other states would not be suited to New Hampshire and some would be of doubtful constitutional validity here. The Commission reports that few of the states now using sales taxes as an important part of their revenue also tax the stock in trade of merchants and manufacturers in a way in which it is done in New Hampshire. There will have to be a careful study of the sales tax possibilities compared with the present stock in trade tax before the real facts are developed which the Legislature should have in hand in order to act intelligently on the matter. To act without these facts might cause injustices and introduce uncertain elements into the financial relations between the state and the towns and cities. The Tax Commission is continuing this investigation and will report its findings as soon as completed. It appears necessary, therefore, to wait until a little later for this or any other major tax legislation. Meantime, we must consider the measures we must adopt now to provide for the balancing of our budget.

Even allowing that the Appropriations Committee does

not approve most requests for increases in State Departments and Institutions and does not approve most bills carrying special appropriations, and I have on many occasions expressed my opposition to any such substantial increases as are being asked by many of our Departments and Institutions, there would still remain a difference of \$600,000 to \$700,000 between revenues and expenditures to be filled for each of the next two years. If we are not in a position to initiate major tax legislation at this time, we must add new revenue by raising the State tax on the towns and cities or resort to special taxes to balance the budget at the present time. Those which I am suggesting for your immediate consideration are:—an additional poll tax, an increase in the inheritance tax, a cigarette tax, and a change in our present corporation tax.

#### THE POLL TAX

The towns and cities now assess a poll tax of \$2.00 on all persons between the ages of 21 and 70, except those exempt for special reasons. In times past the State has assessed a poll tax of its own collected through the towns and paid by them to the State Treasurer. The last such extra assessment was in 1919 and added \$2.00 to the poll tax. There are about 250,000 taxable polls in New Hampshire. An additional tax of \$1.00 should give us a yield around \$225,000 allowing for necessary abatements and costs.

#### THE LEGACY OR INHERITANCE TAX

Our present inheritance tax law assesses a tax of 5% on inheritances passing to collateral heirs. Property passing to direct heirs is not taxed. I believe it would not be a burden if we raised this rate to 7½% for the next two years. Of course the receipts from this tax are more fluctuating from year to year than some others, but if we take recent years as a guide we may expect an additional \$175,000 to \$200,000 annually from the raise in rate recommended.

## CORPORATION TAX

A small additional revenue can be secured by amending our corporation law so that all New Hampshire corporations contribute to the State on the same basis. In 1919 when our present corporation law was enacted, provision was made for an annual payment to the State of a franchise fee based on the capital stock of the company. There was no provision made for a similar payment by corporations organized prior to 1919. If this law were now amended it would do justice as between the two classes of corporations and yield a small additional revenue of several thousand dollars annually to the State.

## A TAX ON THE SALE OF CIGARETTES

An ad valorem tax on the retail sales of cigarettes is another source of revenue. It will be argued that with the Federal tax now imposed an additional State tax would make a high tax burden on this luxury. Nevertheless, fifteen states now tax tobacco products in amounts ranging from 10% to 33 1/3% of the State price. In two other states legislation of this kind is now pending. A study has been made of the revenues received in all the tobacco-taxing states, and comparisons have been drawn with New Hampshire on the basis of population, retail turnover and tax rates and collections. This study indicates that New Hampshire might receive revenue at the rate of \$150,000 per year from an ad valorem tax on the retail sales of cigarettes equivalent to 1 cent on a standard package of twenty, or \$300,000 per year from an ad valorem tax of 2 cents per package of twenty. In the event of a general or retail sales tax being enacted later on, this cigarette tax could be repealed and cigarettes taxed as other merchandise. Meantime, we have in the Department of Weights and Measures inspectors who visit most retail merchants, so that a new inspection service would not have to be set up for the enforcement of the cigarette tax.

## AN INCREASE IN THE STATE TAX

At each biennial session of the Legislature an act is passed early in the session which apportions the State tax among the towns and cities on the basis of the equalized valuation of each; but the amount of the State tax to be so apportioned is not fixed until it is known what the total State tax will have to be to balance the State budget. The greater the appropriations made by the Legislature, the larger must be the State tax unless additional revenue is found. The bill which apportioned the State tax among the towns and cities for the fiscal years ending June 30, 1936, and June 30, 1937, was passed on February 19, 1935. We must now consider how much the State tax will have to be for those two years. For your information I would like to review what the State tax has been in years past. The Legislature of 1919, immediately after the war, raised the State tax for 1920 to \$2,200,000, the highest figure ever reached. The following year it was \$2,150,000; then \$1,700,000. For many years thereafter it was \$1,500,000 or \$1,600,000, except for two years, 1924 and 1925, when it was reduced to \$1,150,000 in anticipation of the collection of inheritance taxes at progressive rates, which were later declared unconstitutional. The State tax of 1930 was \$1,560,000. For 1931 and 1932 it was \$1,400,000, and for last year and the present year the 1933 Legislature fixed it at \$1,300,000. It should be explained that while the State tax has been reduced in recent years, this has been done at the expense of the working balance in the State's treasury, which eventually would have to be met some time by taxes or by the issuance of bonds to be retired over a period of years. While these reductions in the State tax did take off small amounts in local taxes, they did not represent savings or reduced expenditures.

Unless new revenue is provided for the difference between revenues and receipts it will undoubtedly be necessary for this Legislature to increase the State tax for the next two years. In considering the matter of the State tax it is in-

teresting that only 8¢ out of each tax dollar, based on 1934 figures, goes to the State in the form of State tax; and that each dollar paid locally in taxes, 92¢ is spent by the various towns, cities and counties, the major portion by the cities and towns. In considering how much additional revenue you will have to raise by this means or by new tax measures at this time, I wish you would keep in mind how much any specific increase in the State tax will raise the tax rate on local property owners. The average tax rate assessed on local property in New Hampshire last year was \$2.86 per \$100.00 of valuation. On the basis of 1934 property valuations and appropriations in the towns and cities each additional \$100,000 on the State tax would mean adding less than 2 cents to this rate.

On the above basis the relation of increases in the State tax to the local tax rate is expressed as follows:

Increasing the State tax:

\$100,000 raises average property tax rate 1.78 cents  
per \$100.

200,000 raises average property tax rate 3.56 cents  
per \$100.

300,000 raises average property tax rate 5.34 cents  
per \$100.

400,000 raises average property tax rate 7.12 cents  
per \$100.

500,000 raises average property tax rate 8.90 cents  
per \$100.

#### CONCLUSION

In concluding let me state that the facts here presented and the recommendations made have been given to you only after a careful and detailed consideration of them with your appropriate committees. I recommend the adoption of new and additional sources of revenue at this time, and the fixing of the State tax at a figure that will balance the budget for the next two years. Bills have been drawn and will be introduced immediately covering the sources of revenue suggested. I hope you will act upon them promptly so that the



present session may be adjourned at an early date. If and when occasion warrants, I will call you into extra session to consider vital problems such as an abnormal relief load brought about by conditions over which we have no control and for which there would not be sufficient funds provided, and major tax legislation. But this will be done only after information is prepared that will enable you to consider such legislation without unnecessary loss of time. If at that time tax legislation is enacted which promises large additional revenue, it may be that some of the measures which you pass now can be repealed.

I appreciate most sincerely the cooperation which this Legislature has extended to me on all vital legislation. Particularly on economy measures. I think it is unusual, considering the spirit of the times, that we have been able to work together so whole-heartedly with economy as our objective without impairing efficiency or neglecting human needs. We can accomplish our objective of economy by careful supervision of expenditures, by preventing unwarranted increases in appropriations, and by the reduction of some appropriations and expenditures; and if we can couple with that program the balancing of our budget for the next biennial period, I think we will have made a great contribution to maintaining the tradition of thrift and financial integrity which our forefathers have always prided themselves upon and of which we, as citizens of New Hampshire, are proud.

In closing I would like to quote from my budget message of February 15—"Our State should observe the ordinary precautions of the prudent citizen who does not spend more than he can reasonably earn and who does not borrow more than he may ultimately be able to pay."

#### GOVERNOR'S VETO

The following veto message was received from His Excellency the Governor.

*To the Honorable House of Representatives:*

The frequency of accidents to school children while alighting from school buses on our public highways is quite prop-

erly a matter of legislative concern. Investigations of such accidents frequently disclose the cause to be the failure of the passing motorist to recognize the character of such vehicles until it is too late to stop or otherwise exercise the precautions required.

House Bill No. 355 is designed to decrease this hazard to our children by requiring vehicles operated as school buses to be so lettered on the back thereof. The provision requiring the minimum height of such lettering to be two inches appears to be wholly inadequate. Lettering of this size would hardly be distinguishable an appreciable distance away. While I disapprove of this measure in its present form and exercise the executive power of veto, I strongly urge you to enact legislation that will accomplish the desired results. I would recommend that such lettering ought not to go below a minimum of six or even eight inches. I would further recommend that the rear of such vehicles carry additional distinguishing marks so that the attention of non-resident motorists and those who use our highways infrequently would be readily gained.

H. STYLES BRIDGES,  
*Governor.*

The message was laid upon the table.

#### ADDRESS

Mrs. Winnifred Toussaint, National President of the Woman's Auxiliary Veterans of Foreign Wars, addressed the House.

#### LETTER FROM THE GOVERNOR

The following letter was read from His Excellency the Governor:

THE SPEAKER OF THE  
HOUSE OF REPRESENTATIVES,  
State House,  
Concord, New Hampshire.

*Dear Mr. Speaker:*

May I express to you and to the members of the House of

Representatives my appreciation of your resolution and the beautiful flowers which you sent me during my recent illness.

Sincerely yours,

H. S. BRIDGES,  
*Governor.*

#### LEAVES OF ABSENCE

Mr. Marden of Holderness was granted leave of absence for the day on account of illness.

Mr. Allen of Portsmouth was granted leave of absence for the remainder of the session on account of important business.

#### COMMITTEE REPORTS

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend joint resolution by striking out all after the caption and substituting therefor the following:

WHEREAS, the town of Hanover, with the approval of the state highway commissioner and the cooperation of the Vermont authorities and the federal emergency administration of public works, has undertaken the necessary construction of a new bridge across the Connecticut river to replace the old Ledyard bridge, and the net cost of the New Hampshire portion thereof, after deducting the sum to be contributed by the United States under a certain grant agreement, will be at least \$85,000; and

WHEREAS, it is equitable that the state bear one half of such net cost, but only \$20,000 thereof is payable by the state under existing law, and said town has financed the balance by issuing \$65,000 of municipal bonds designated "Ledyard Free Bridge Bonds;" and

WHEREAS, said bonds mature serially on December 1, \$4,000 in each of the years 1935 to 1939 inclusive and \$3,000

in each of the years 1940 to 1954 inclusive, but the holders of at least \$10,000 thereof are willing to surrender the same for redemption during the current year; now therefore

Resolved by the Senate and House of Representatives in General Court convened:

THAT the sum of ten thousand dollars (\$10,000) be and hereby is appropriated to reimburse the town of Hanover to that extent for its expense in constructing said new bridge, such sum to be in addition to the state's share of the construction cost under existing law, to be a charge upon the highway funds, and to be used for the redemption and retirement of "Ledyard Free Bridge Bonds." Said sum shall be payable on or before December 1, 1935, to the town treasurer or directly to surrendering bondholders, as the governor and council may determine, but only upon condition that the town first conclude arrangements satisfactory to the governor and council for the concurrent redemption and retirement thereof of not less than ten thousand dollars (\$10,000) par value of said bonds, exclusive of those of 1935 maturity; and the bonds so redeemed shall, so far as it is practicable to arrange therefor with the bondholders, be of such maturities that the reduction in the amounts of outstanding bonds will not be greater for the earlier than for the later maturity years.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole thereof and inserting in its place the following:

1. Amend paragraph V, section 1 of chapter 200 of the Public Laws by adding after said paragraph a new paragraph to read as follows:

V-a. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June first to October first, but no person may take in

one day a total of more than two pounds of trout regardless of species, provided that if he has taken less than two pounds he shall be entitled to one additional fish.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Appleton of Dublin for the Committee on Forestry, to whom was referred House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on State land, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 42, An act relative to Penacook union school district, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. *Dissolution of District.* The territory embraced within former Boscawen Special School District, now a part of Penacook Union School District, as established by chapter 239, Laws of 1909, may be withdrawn from said union district in the manner set forth.

2. *Special Meeting.* Upon application of twenty-five or more of the hereinafter described residents of the territory embraced within said Boscawen Special School District, any justice of the peace may call a meeting of the residents of said special district entitled to vote in school district meetings, in the same manner as other school district meetings are called, to vote upon the question of withdrawing from said



union district. At such meeting a moderator and clerk may be chosen. No valid action can be taken at said meeting unless a majority of the residents entitled to vote therein are present at said meeting and a record of that fact made by the clerk.

3. *Application of Laws.* If said residents vote in the affirmative to withdraw from said union district the procedure for this dissolution of said union district shall be as provided in chapter 119 of the Public Laws, sections 44 to 50 inclusive.

4. *Penacook School District.* The territory embraced within the former Penacook School District in the city of Concord, now a part of Penacook Union School District, may be withdrawn from said union district with the same procedure and in the same manner as hereinbefore set forth for the withdrawal of the Boscawen Special School District.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 429, An act regarding the compensation of county commissioners, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 430, An act relating to dogs, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Blandin of Bath for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 155, Joint resolution relative to assessment and collection of

taxes, with the recommendation that the joint resolution be referred to the Committee on Judiciary.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

#### BILL FORWARDED

House Bill No. 330 (in new draft), An act relating to the taking of fish from certain waters, was taken from the table.

Mr. Guay of Laconia offered the following amendment:

Amend section 7 by striking out in lines 57, 58 and 59 (of the printed bill) the words: "Gilford brook in Gilford, Poor Farm brook in Alton, Shannon brook in Moultonboro" so that said section as amended will read as follows:

7. *Closed to All Fishing.* The following waters are closed to all fishing: Fowler river between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, Connor brook in Auburn, Sand Hill brook in Auburn, Derry and Londonderry, Mallego brook within the Heath sanctuary in Barrington, Madbury and Dover, Spring Pond brook in Bennington, Tunnel stream in Benton and all its tributaries above the Parker House, Oliverian brook and all of its tributaries in Benton and Warren from its source to where it crosses the State highway on the highway leading from Warren to Haverhill; Village brook in Bradford from its source to the new dam for five years from April 8, 1931; Summit brook and Sargent brook in Canaan for five years from May 4, 1932; that part of Stevens brook in Claremont flowing into the rearing pool of the Claremont Fish and Game Club for five years from June 29, 1932; all tributaries of Dead Diamond river including Lamb Valley pond in Dartmouth College Grant, all tributaries of Swift Diamond river in Dartmouth College Grant; Twitchell brook in Dummer flowing east into Androscoggin river for three years from May 18, 1934; Morse brook in Easton and all its tributaries from its source to the highway leading from Lost river to Franconia; all tributaries of Webster lake in Franklin, except Sucker brook, for five years from May 4, 1932; the outlet of

Webster lake in Franklin from the lake to the screen for five years from May 4, 1932; Haynes brook in Franklin from the Daniel Webster highway to Winnepesaukee river; all tributaries of Peabody river in Green's Grant except the West Branch and Nineteen-mile brook, as far up as the so-called Glen House dam, for five years from May 4, 1932; Amos Pike or Starch Factory brook from its source to the highway leading from the State road to the French Pond road, Lime Kiln brook and all its tributaries above No. 6 Schoolhouse, Granny Clark brook, and all its tributaries, all in Haverhill, for two years from May 1, 1935; all streams of the West Branch water shed of the Ammonoosuc river in Kilkenny including the West Branch itself, Bowen brook in Landaff and Easton and all its tributaries from its source to the old mill site, Trout brook so-called, the inlet of Post pond in Lyme upstream from the pond for a distance of approximately two miles to the falls; Alder brook, a tributary to Stearns brook in Milan and Success, Leavitt stream in Milan, all tributaries of Merry-meeting lake in New Durham, all tributaries of Pleasant lake in New London, and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards south from Chandler bridge, Taggart brook in Peterboro, Round Pond brook in Pittsburg, Three Pond brook in Rumney from its source to the falls below Morrill's meadow, Melvin river in Tuftonboro from the New Road bridge so-called to its mouth, all brooks on the Pillsbury reservation in Washington; King, Goldsmith and Farrell brooks, tributaries of Souhegan river in Wilton for five years from June 5, 1931, all tributaries of Merrymeeting lake in New Durham, and the streams between Tioga and Sargent reservoirs and Badger reservoir in Belmont.

On a *viva voce* vote the amendment was adopted.

Mr. Guay of Laconia offered the following amendment:

Amend section 6 of said bill by adding at the end thereof the words, and Swanzey lake in Swanzey.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

## VOTE RESCINDED

On motion of Mr. Sanderson of Pittsfield the vote whereby House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on State land was ordered to a third reading was rescinded.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs, reported the same under joint rule No. 6 with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines of said section and inserting in place thereof the following:

1. *Brands.* Amend section 10 of chapter 170 of the Public Laws, as amended by chapter 37, Laws of 1931, by striking out said section and inserting in place thereof the following:  
10. *Registering.* A person engaged

Further amend said section 1 by striking out the words "said description has been filed" and inserting in place thereof the words, his principal place of business is situated.

Amend section 3 of said bill by striking out the first line thereof and inserting in place thereof the following:

3. *Amendment.* Amend section 13 of said chapter 170 by adding before the word "junk" in the fourth line the words, milk dealer, and by adding

On motion of Mr. Nash of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association, reported the same under joint rule No. 6,

with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the directors of the Young Men's Christian Association of Nashua.

Amend section 1 of said bill by striking out the first five lines thereof and inserting in place thereof the following:

1. *Young Men's Christian Association of Nashua.*  
Amend section 2 of chapter 213 of the Laws of 1891 by striking out said section and inserting in place thereof the following:

Amend section 2 of said bill by adding after the word "chapter" in the first line the figures 213.

On motion of Mr. Nash of Concord, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTION

On motion of Mr. Lee of Concord.

*Resolved*, That when the House adjourns today it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

On motion of Mr. Callahan of Keene, business in order at 2 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene, the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 330, An act relating to the taking of fish from certain waters.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.



Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 19, An act relating to the taking of trout from Martin Meadow pond in Lancaster.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

Senate Bill No. 42, An act relative to Penacook union school district.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

#### TAKEN FROM THE TABLE

The veto message of His Excellency the Governor, on House Bill No. 355, An act relative to the operation of motor vehicles was taken from the table.

The question being

Shall the bill pass notwithstanding the veto of His Excellency the Governor?

(Discussion ensued)

The roll was called with the following result:

YEAS, NONE

NAYS, 231

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Fogg, Hepworth, Foss, Cilley, Russell of Exeter, Stevenson, Carlton, Little, Perkins of Hampton, Adams of Londonderry, Estabrook of Newton, Marston of North Hampton, Peaslee of Plaistow, Allen, Pray, Abbott of Portsmouth, Eliot of Raymond, Manor, Peever, Adams of Seabrook, Floyd, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Pomerleau, Durkin, Hall of Dover, Keefe, McDonough of Dover, Durkin, Henderson of Durham, Gotts, Brennan, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Greenfield, Boucher, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Hunt, Page, Dodge, Guay, Alfred L. of Laconia, Carroll, Hoyt of

Laconia, Stafford, Merrill of Laconia, Dow, Simpson of Laconia, Neal of Meredith, Plastridge, Wallis, Smart.

CARROLL COUNTY: Simpson of Bartlett, Davis, Russell of Conway, Thompson of Effingham, Banfield, Winkley, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Reardon, Tallman, Shaw, Coakley, Matott, Kemp, Blood, Boutwell, Mansur, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Lee, Ahern, Ford, Buffum, Demers, Carignan, Lemire, Peaslee of Henniker, Stobie, Ball, Shepard, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Connor, Howard of Wilmot.

HILLSBOROUGH COUNTY: Putnam of Antrim, Hodgman, Gilson, Locke of Deering, Avery, Matheson, Sym, Charois, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Bergholtz, Gage, McIntire, Clougherty, Corey, Healy of Manchester, Ward 5, Healy of Manchester, Ward 6, Gagnon, Gelinis of Manchester, Gaudreault, Getz, McLaughlin, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Soucy, Brouillette, Barnes, Maker, Wadleigh, Weston, Woods, Winslow, Woodbury, Danforth of Nashua, Moran of Nashua, Ravenelle, Lavigne, Maddox, Glynn, Bouthillier, Baker, Thompson of New Ipswich, Jones of Pelham, Peaslee of Weare.

CHESHIRE COUNTY: Appleton, Hanson, Clark, Callahan, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Roche, Wiswall, Huntley, Bullock, Rice, Randall, Graves, Kiniry, Britton.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Daly, Etsler, Quimby, Thomas, Cutting, Barton, Bailey, Cummings of Newport, Downing, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Mitchell, Graham, Bowles, Hardy, Sawyer of Franconia, Guyer, Hunter, Keyser, Merrill of Haverhill, Scruggs, Hoyt of Lebanon, Jones of Lebanon, Millen, Perley, Astle, Lewis, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bagley, Mason, Smith of Berlin, Henderson of Berlin, Ordway, Palmer, Brungot, Dahl, Martel, Bixby, Dugas, Myler, Lombard, Gray, Whitcomb, Stiles, Chandler of Gorham, Willis, Morris, Cole, Judd, Fuller of Stratford, Whitcher.

And the veto was sustained.

On motion of Mr. Ahern of Concord at 11:51 o'clock the House adjourned.

---

FRIDAY, MAY 10, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 10, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.

---

MONDAY, MAY 13, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 13, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

---

TUESDAY, MAY 14, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

IN CONVENTION

The two branches being in convention the following messages were received from His Excellency the Governor.

MESSAGES FROM THE GOVERNOR

New Hampshire has a very inadequate system of handling juvenile delinquency. This is a very real problem involving as it does the whole question of how the State shall treat those of its youth who are unfortunate or underprivileged and who, because of such circumstances, become involved in courses which, if not counteracted, may lead them into lives of misfortune.

It has been said, and I believe with truthfulness, that a forward looking method of treating the juvenile delinquent through adequate supervision and probation would, in the long run, bring about substantial savings in money for the State and its sub-divisions wholly outside the human values of such a policy.

Costs of probation services are generally less than institutional care as well as more effective. Among juveniles probation has often turned lives away from paths of digression and crime and into constructive channels.

Any program or policy which would save the lives of boys and girls and make of them useful citizens is worthwhile. For a long time I have been interested in this problem. In my first message to this Legislature I expressed the belief that we should have some effective way of rebuilding delinquent youths.

I therefore hope, that this Legislature will enact legislation which will promote this purpose.

H. STYLES BRIDGES,  
*Governor.*

It has been my policy as Governor, as we have come to important phases of public policy in which the Executive and the Legislature have been concerned, to discuss with you frankly the conditions and circumstances which have seemed to me to require action. I have appreciated the courtesy with which the several special messages have been received and the action which you have taken in response to suggestions of the Governor.

Today I desire to bring to your attention another matter of broad public concern upon which it seems to me the Legislature should take action.

I have long been very deeply interested in rehabilitation of our wild life. I have asked you to reorganize the Department to make it more effective in the development of a long range program. The Legislature is in the process of taking this action.

In the course of my own investigations various special problems have presented themselves. One of them concerns the benefits which the State could receive from the presence within its borders of the White Mountain National Forest.

While it is true that the White Mountain National Forest is a property of national interest, purchased, developed and maintained by the Federal Government its very existence is after all for the general public benefit. Whatever this national forest has to offer in the way of services is available for the general public benefit but more directly and specifically it ought to benefit New Hampshire. Just as this is true so I believe it to be true that the State of New Hampshire can be of assistance in the solution of many of the problems which arise in the course of administering this great reservation.

We have given considerable thought to the possible introduction of new, small, permanent wood using industries adjacent to the forest, utilizing products therefrom. Already we have witnessed rapid increase in summer and winter recreational use of the area and plans are going forward for improving facilities for this type of use. The State has cooperated in protection of the area against fire and disease. Its



value as a conservator of water at the sources of four important New England rivers is well known.

There is still another phase of development of this area which I believe needs consideration at this time. This has to do with building up wild life resources.

It is conceded by all those who have studied the fish and game problems of New Hampshire, and particularly in the White Mountains, that much greater use can be had with an accompanying increase in enjoyment and profit for New Hampshire residents, as well as those out-of-state visitors who contribute so much to our recreational business, than is true at present.

I have been personally assured that the administration of the Forest is ready to go ahead with the essential basic studies and to assume the expense of initiating and carrying through the action necessary for the protection, propagation and utilization of wild life resources in all or a part of this area.

Before such a program can be undertaken, however, certain facts must be recognized and certain action on the part of the State itself must be taken.

At present the wild life on the lands and in the waters of the National Forest is protected and handled under laws of the State of New Hampshire.

These laws, frankly, are too rigid in their origin and application as to closures, bag limits, seasons, and other considerations to permit any intensive wild life management necessary to rapidly increase the fish and game resources of the state or any part of it. It is also true that rehabilitation of depleted wild life populations is an expensive process. It has involved investments that the State has been unable to finance. But in this direction the Federal Government might be of assistance in my opinion.

I would like very much to have the State of New Hampshire extend an invitation to the United States Forest Service to undertake the development and management of the wild life resources of a really worth while area or areas in the

White Mountain National Forest, perhaps as much as 100,000 acres.

Such area or areas could be intensively protected and administered as practical demonstrations of wild life management.

It would be true that as stocks increased in such an area there would be an overflow or migration to adjoining territories for utilization under state supervision. Surplusses built up within federally managed units could ultimately be harvested and would be a tremendous asset to the State.

Such a form of management and control would involve temporary sacrifices through closures, controlled hunting and fishing, else the very considerable investment in stocking, rearing, propagating and patrol would be unwarranted.

I believe, however, that the sacrifices would be more than offset by the very substantial benefits which would accrue.

Essential to the initiation of any such program with all its potential benefits, is assurance that the Forest service could exercise control over the area and that this service through the local National Forest Administration under the direction of the Secretary of Agriculture be given authority by the state to make and enforce such rules and regulations as are necessary for the management of the wild life resources within the area or areas set aside for this purpose. In other words if New Hampshire is to gain the benefits of a federally instituted, financed and managed program it will require the substitution of the rules and regulations of the local administration of the Forest area for the fish and game laws of New Hampshire as they apply to this territory.

You now have before you, already approved by the House of Representatives, House Bill 306 in new draft,—An Act to create a Fish and Game Commission and to define its powers and duties.

I believe a provision could be inserted in this bill under which the Legislature would empower the director, with the approval of the Commission, and the sanction of the Governor and Council to substitute rules and regulations of the United

States Forest Services for the existing state laws as applied to a specific territory such as this, or such authority might be extended directly to the Governor and Council.

It is true that this would make the protection and management of fish and game in such an area a Federal instead of a State function.

It is a case of balancing the very great benefits which would accrue against the yielding of state control in a particular place within the State and within the Federal Forest.

Another method would be for the Legislature to cede by a special enactment jurisdiction over wild life in this limited area to the United States. This has been done in several states including North Carolina where federal production of game in a part of the National Forest has been most successful.

There has been submitted to the Governor detailed data on one such proposed area.

I recommend that the Legislature take action to the end that New Hampshire may have the benefits which would come from such development of our wild life on such an area.

H. STYLES BRIDGES,  
*Governor.*

The convention then rose.

#### LEAVES OF ABSENCE

Messrs. Brunel of Concord, Hutchins of Charlestown and Bagley of Berlin were granted leave of absence for the day on account of important business.

Mr. Danforth of Nashua was granted leave of absence for the day on account of death in family.

Mr. O'Reilly of Manchester was granted leave of absence for May 14 and 15 on account of important business.

Mr. Chickering of Chesterfield was granted leave of absence for the week on account of illness.

Mr. Gaudreault of Manchester was granted leave of absence for the week on account of important business.

## COMMITTEE REPORTS

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred Senate Bill No. 38 (in second new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a state forest reservation and park and the construction of a road to the Canadian border, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Molloy of Nashua raised the point of order that Article 18, part second of the Constitution was being violated.

The Speaker ruled the point not well taken.

The question being

Shall the bill be read a third time?

(Discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of eight thousand dollars (\$8000) be and the same is hereby appropriated for the reconstruction of the Long Island bridge, so called, in the town of Moultonborough, provided that the town of Moultonborough appropriate the sum of three thousand dollars (\$3000) for the same purpose. Said sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appro-

priations, to whom was referred House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of one hundred and fifty dollars (\$150) be and hereby is appropriated to reimburse Eva E. Dow for damages to her property caused by blasting during the construction of highway in the town of Moultonborough, provided that said town of Moultonborough appropriates the sum of one hundred and fifty dollars (\$150) for the same purpose. Said sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 424, An act providing for the registration of weighing and measuring devices, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 7 of said bill by striking out the word "and" in line 5 of the printed bill and substituting therefor the word "or", so that said section as amended shall read as follows: 7. *Certificates, Where Kept.* Every itinerant vendor or vendee having a weighing or measuring device registered under the provisions of this chapter shall have the certificate of registration for said device posted in the vehicle where the weighing or measuring device is kept, carried or used, in some easily accessible place where it can be easily read by anyone so interested; provided that where a vehicle is not used, said itinerant vendor or vendee shall have the certificate of registration upon his person and shall exhibit such certificate, on demand, to any person for inspection.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Morris of Lancaster for the Committee on Judiciary,



to whom was referred House Bill No. 425, An act relating to the establishment of the East Derry fire precinct, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 200, An act relating to bear, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 431, An act relating to the administration of the laws relative to weights and measures, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 432, An act increasing the tax on legacies and successions, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 433, An act abolishing the bureau of criminal investigation, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 434, An

act relative to the taxation of cigarettes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Stevenson of Exeter the bill was referred to a joint committee consisting of the Committees on Judiciary and on Ways and Means.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 435, An act providing for the establishment of a State conservation commission, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Blandin of Bath for the Committee on Rules, reported the following entitled bill, House Bill No. 436, An act relating to taxation of polls, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 437, An act increasing the fees for permits to sell beverages, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 438, An act relating to Plymouth normal school, with the recommendation that the bill be referred to the Committee on Normal Schools.

The report was accepted, the bill read a first and second

time, laid upon the table to be printed and referred to the Committee on Normal Schools.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 439, An act relating to superintendents of schools, with the recommendation that the bill be referred to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Education.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 440, An act relative to the purchase of supplies by school districts, with the recommendation that the bill be referred to the Committee on Education.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Education.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 101, An act relating to the duties of town tax collectors.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of

which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 206 (in new draft and new title), **An act relating to State, county and municipal contracts.**

Amend section 2 of the bill by striking out all of said section and inserting in place thereof the following:

2. *Preference.* In the award of any contract by any state, county or municipal agency wherein competitive bidding is invited or required and wherein the lowest responsible bona fide bid is in excess of five hundred dollars contractors having their principal place of business in this state and who so far as practicable employ resident laborers of the state, shall be preferred except where the added cost from such preference would be clearly burdensome. The decision of the state, county or municipal agency upon this issue shall be final.

Further amend said bill by striking out the whole of section 3 and renumbering section 4 so that it will read section 3.

On motion of Mr. Hunter of Hanover, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 64, **An act amending an act relating to banks approved March 26, 1935.**

#### SENATE BILL READ AND REFERRED

Senate Bill No. 64, **An act amending an act relating to banks approved March 26, 1935.**

The bill was read a first and second time and referred to the Committee on Banks.

#### COMMITTEE HEARING

On motion of Mr. Stevenson of Exeter the rules were suspended and the Committees on Judiciary and Ways and

Means were authorized to hold a hearing on House Bill No. 434, An act relative to the taxation of cigarettes, on Wednesday, May 15, at 9 o'clock in Room 100.

## RESOLUTIONS

Mrs. Howison of Milford presented the following resolutions:

WHEREAS, The New Hampshire House of Representatives has learned with sorrow of the death of Arthur L. Keyes of Milford, a former member of this House for several sessions, therefore

*Be it resolved*, That the House extend to his family its deep sympathy in their bereavement, and

*Be it further resolved*, That the Clerk transmit a copy of these resolutions to Mr. Keyes' family.

GERTRUDE N. HOWISON,  
FRED T. WADLEIGH,  
WILLIAM WESTON,

*For the Committee.*

On a *viva voce* vote the resolutions were adopted.

## SPECIAL ORDERS

Mr. Hoyt of Sandwich called for the special orders House Bill No. 294, An act relating to neglected and delinquent children.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass, and House Bill No. 295, An act creating a probation department for the efficient administration of justice.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

(Discussion ensued)

Mr. Keefe of Dover moved the previous question.

The question being



Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass on House Bill No. 294, An act relating to neglected and delinquent children?

Mr. Callahan of Keene asked for a division.

Mr. Davis of Conway demanded the yeas and nays and the roll was called with the following result:

YEAS, 164

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Fogg, Cilley, Russell of Exeter, Stevenson, Carlton, Brackett, Little of Hampstead, Perkins of Hampton, Pickering, Peaslee of Plaistow, Barrett, Kittredge, McNeil, Harmon, Floyd.

STRAFFORD COUNTY: Coffin, Keenan, Pomerleau, Chabot, Durkin, Howard of Dover, Garland, McDonough of Dover, Durnin, Gelinas of Farmington, Lefavour, Tanner, Cartier, Dickinson, Tighe, Lagueux, Robinson of Somersworth.

BELKNAP COUNTY: Piper of Belmont, Dodge, Guay, Hoyt of Laconia, Stafford, Cantin, Merrill of Laconia, Simpson of Laconia, Gordon.

CARROLL COUNTY: Russell of Conway, Hoyt of Sandwich, Weeks.

MERRIMACK COUNTY: Courtemanche, Munroe, Tallman, Matott, Nash, Sturtevant, Maxham, Lee, Donovan, Demers, Carignan, Lemire, Bean of Franklin, Dempsey, Lafond, Merrill of Loudon, Turgeon, Warren, Sanborn, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Hodgman, Gilson, Locke of Deering, Craine, Smith of Hudson, Reid of Litchfield, Emery, Gage, Dwyer, Clougherty, Corey, Clancy of Manchester, Ward 5, Creighton, Sweeney of Manchester, Ward 5, Peloquin, Turcotte of Manchester, Bouthiette, Moran of Manchester, Levallee, Getz, Van Vliet, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lariviere, Barnes, Weston, Woods, Boilard, Letendre of Nashua,

Dugan, Charbonneau, Dion, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais, Jones of Pelham.

CHESHIRE COUNTY: Estabrook of Alstead, Firmin, Clark, Perry of Jaffrey, Callahan, Keating, Gates, Spaulding, Roche, Bullock, Rice, Perry of Swanzey, Graves, Britton, Horner, Read of Winchester.

SULLIVAN COUNTY: Daly, Hosking, Quimby, Stetson, Thomas, Gaffney, Reney, Barton, Cummings of Newport, Downing.

GRAFTON COUNTY: Yeaton of Benton, Graham, Hardy, Williams, Merrill of Haverhill, McNamara, Perley, Burgault, Cook, Sawyer of Woodstock.

COOS COUNTY: Bell, Mason, Smith of Berlin, Henderson of Berlin, Palmer, Sullivan of Berlin, Martel, Bixby, Gray, Whitecomb, Chandler of Gorham, Willis, Judd, Phelan.

## NAYS, 166

ROCKINGHAM COUNTY: Fitts, Abbott of Derry, Hepworth, Foss, Thayer, Janvrin, Lyford, Adams of Londonderry, Sheehy, Estabrook of Newton, Mudge, Dondero, Allen, Tucker, Yeaton of Portsmouth, Abbott of Portsmouth, Eliot of Raymond, Manor, Adams of Seabrook, Chase.

STRAFFORD COUNTY: Locke of Barrington, Keefe, Henderson of Durham, Elliott of Madbury, Gotts, Emerson of Rochester, Brennan, Bergeron, Greenfield, Seavey, Boucher, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Hunt, Page, Carroll, Dow, Neal of Meredith, Plastridge, Wallis, Smart.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Thompson of Effingham, Gale, Lyman, Banfield, Winkley, Hilliard, Clow.

MERRIMACK COUNTY: Reardon, Morgan, Danforth of Bradford, Shaw, Coakley, Robinson of Concord, Blood, Boutwell, Mansur, Blake, Saltmarsh, Tilton, Freeman of Concord, Wylie, Ahern, Buffum, Peaslee of Henniker, Stobie,

Ball, Colburn, Vancore, Perkins of Pittsfield, Sanderson, Connor, Cloues.

HILLSBOROUGH COUNTY: Avery, Matheson, Sym, Charois, Crowell, Boynton, Wilson of Hollis, Goodwin of Hudson, Knowlton, Barnard, Bergholtz, Graf, McIntire, Talty, Tobin, Fitzgerald, Mahoney of Manchester, Ward 4, Booth, Clancy of Manchester, Ward 6, Connelly, Healy of Manchester, Ward 6, Jordan, Cote, Farrell, Gagnon, Bolton, Gelinas of Manchester, McDonough of Manchester, Kearns, McLaughlin, Lambert, Maker, Howison, Fowell, Winslow, Woodbury, Francoeur, Barry of Nashua, Thompson of New Ipswich, Cummings of Peterborough, Mercer, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Appleton, Hanson, Hammond, Hetherman, Jones of Keene, Wardwell, Wiswall, Huntley, Granger, Randall.

SULLIVAN COUNTY: Chandler of Claremont, Leahy, Cutting, Bailey, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Bowles, Sawyer of Franconia, Guyer, Hunter, Putnam of Hanover, Keyser, Scruggs, Marden, Hoyt of Lebanon, Jones of Lebanon, Millen, Bishop, Parker, Astle, Lewis, Simpson of Littleton, Grant, Averill.

COOS COUNTY: Barden, Ordway, Brungot, Dahl, Dugas, Lombard, Stiles, Morris, Hancock, Fuller of Stewartstown, Whitcher.

Mr. Mitchell of Campton, voting yes, paired with Miss Emerson of Windham, voting no.

And the motion to substitute did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

House Bill No. 295, An act creating a probation department for the efficient administration of justice.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

On a *viva voce* vote the Chair was in doubt.

Mr. McNeil of Portsmouth asked for a division.

A division being taken 139 members voted in the affirmative and 153 members voted in the negative and the motion to substitute did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

On motion of Mr. Leahy of Claremont at 12:55 o'clock the House adjourned.

## AFTERNOON

The House met at 2 o'clock.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 424, An act providing for the registration of weighing and measuring devices.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

House Joint Resolution No. 103, Joint resolution for the construction of the Long Island bridge so-called, in the town of Moultonborough.

House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 38 (in second new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

Read a third time.

The question being

Shall the bill pass?

Mr. Stevenson of Exeter moved that the bill be laid upon the table.

On a *viva voce* vote the affirmative prevailed.

Mr. Vancore of Northfield asked for a division.

A division being taken, 117 members voted in the affirmative and 46 members voted in the negative and a quorum not being present at 2:20 o'clock the House was declared adjourned and the bill went into unfinished business.

---

WEDNESDAY, MAY 15, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### LEAVE OF ABSENCE

Mr. Saltmarsh of Concord was granted leave of absence for the day on account of important business.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 101, An act relating to the duties of town tax collectors.

House Bill No. 326, An act relating to fiduciary powers of trust companies and national banks.

House Bill No. 412, An act relating to register of deeds for Strafford county.

House Bill No. 415, An act relating to the distribution of damages in suits brought by administrators.

Senate Bill No. 20, An act to close Martin Meadow pond in the town of Lancaster to ice fishing.

The report was accepted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 268, An act relating to the taking of pickerel, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and



Game, to whom was referred House Bill No. 271, An act to close Canaan and Bodge brooks in the town of Tuftonboro, indefinitely, to any fishing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 283, An act relating to the taking of deer, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 67 (in new draft), An act relating to municipal lighting systems, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of Title I and inserting in place thereof the following:

#### TITLE I.

1. *Reports, Accounts, Records, Etc.* Any city, town, or village district owning, operating or managing any plant or equipment, or any part of the same, for the manufacture or furnishing of light, heat, power, or water for the public, or engaged in the generation, transmission, or sale of electricity or gas ultimately sold to the public, shall be subject to all of the provisions of the Public Laws of New Hampshire set forth in chapter 240, sections 7 through 18, inclusive.

Amend Title II of said bill by adding after the words "gas and", in line 10, p. 3 of the printed bill, the following: "/or", so that section 1 of said Title II as amended shall read as follows: 1. *Definitions.* In this chapter, unless the context otherwise requires, the following words shall have the following meanings: "Commission", the Public Service Commis-

sion of New Hampshire. "Utility", any public utility engaged in the manufacture, and/or distribution, and/or sale of gas and/or electricity in the State of New Hampshire. "Municipality", any city, town, or village district within the State of New Hampshire.

Further amend Title II of said bill by adding after the words "gas and", in line 17, p. 3 of the printed bill, the following: "/or", so that section 2 of said Title II as amended shall read as follows: 2. *Municipalities May Acquire.* Any city, town or village district may take, purchase, lease or otherwise acquire and maintain and operate in accordance with the provisions of this chapter, one or more suitable plants for the manufacture and/or distribution of gas and/or electricity for municipal use and for the use of its inhabitants and others, and for such other purposes as may be permitted, authorized or directed by the commission; and for these purposes may purchase and hold in fee simple or otherwise any real or personal estate and any rights therein, including water rights; and may do all other things necessary for carrying into effect the purposes of this chapter; and may excavate and dig conduits and ditches in any highway or other land or place, and erect poles, place wires, and lay pipes for the transmission and distribution of electricity and gas, in such places as may be deemed necessary and proper; and may change, enlarge and extend the same from time to time when the municipality shall deem necessary, and maintain the same, having due regard for the safety and welfare of its citizens and security of the public travel.

Further amend Title II of said bill by making the word "votes" in lines 56 and 57, on page 5 of the printed bill, read "vote", so that section 5 of said Title II as amended shall read as follows: 5. *Demand.* Within thirty days after the passage of the confirming vote provided for in section 3 or the vote provided in section 4 hereof, the mayor of the city, the selectmen of the town, or the commissioners of the district shall notify in writing any utility engaged, at the time of said vote, in generating or distributing gas or electricity for sale in said municipality, of said vote, and ask said utility whether

it elects to sell, in the manner hereinafter provided, that portion of its plant and property located within said municipality which is suitable for and used in connection with the business of said utility, and that portion, if any, lying without said municipality which the public interest may require the said municipality to purchase.

Further amend Title II of said bill by striking out the whole of section 8 and inserting in place thereof the following: 8. *Valuation.* If the municipality does not ratify the agreement to purchase in the manner provided in section 7 hereof; or if the price cannot be agreed upon; or if it cannot be agreed as to how much, if any, of said plant and property lying without said municipality the public interest requires said municipality to purchase; or if the proposed conveyances or their contents, submitted in accordance with section 6 hereof, are not satisfactory, either the municipality or the utility may petition the commission for a determination of these questions; and the commission, after proper notice and hearing, shall decide the matters in dispute; and shall also, when required to fix the price to be paid for said plant and property, determine the amount of damages, if any, caused by the severance of the plant and property proposed to be purchased from the other plant and property of the owner; and from all of said determinations there shall be the right of appeal to the superior court, and upon such appeal the price determined by the Public Service Commission may be considered as evidence on the question of the value of said plant and property. The expense to the commission for the investigation of the matters covered by said petition, including the amounts expended for experts, accountants or other assistants, and salaries and expenses of all employees of the commission for the time actually devoted to said investigation, but not including any part of the salaries of the commissioners, shall be paid by the parties involved, in the manner fixed by the commission.

Further amend Title II of said bill by striking out the whole of section 9 and inserting in place thereof the following: 9. *Construction and Condemnation.* If the utility

shall have replied in the negative, or if it shall have failed to reply, within the time prescribed in section 6 hereof, the municipality, in the event that it shall have passed the vote or votes required in sections 3 or 4 hereof, may construct a municipal plant after the commission, upon proper notice and hearing, has determined that it is for the public interest so to do; or may take such private plant and property by condemnation, paying therefor just compensation determined in the manner provided in section 8 hereof.

Further amend Title II of said bill by striking out the whole of section 10 thereof.

Further amend Title II of said bill by renumbering section 11 to read section 10. Further amend this section by adding after the word "municipality" in line 164, p. 10 of the printed bill, the following: "or the price to be paid for said plant and property as finally determined under the terms of this act, whichever figure is the lesser amount;" so that said section as amended and renumbered shall read as follows: 10. *Ratification.* Within ninety days of the final determination of the price to be paid for said plant and property, as well as the amount of said plant and property to be taken or acquired under the provisions of section 8 or 9 hereof, said municipality shall decide whether or not to take said plant and property at said price by a vote similar to the ratifying vote provided in section 7 hereof. In the event that said vote or the vote in section 7 hereof is in the affirmative, the municipality may then vote, within ninety days thereof, to raise by taxation, and appropriate, or, as provided by chapter 59 of the Public Laws of New Hampshire, to borrow and hire such sums of money on the credit of the municipality as may from time to time be deemed necessary and expedient for the purpose of defraying the cost of purchasing or taking the plant, property or facilities of the utility which the municipality may thus acquire, or for constructing or enlarging any plant, works or system, and said indebtedness shall not exceed at any one time ten per cent of the tax valuation of the municipality, or, in the event of a taking, such price and



damages as are finally determined under the provisions of this act; and if said money is so raised it shall immediately be paid to the utility, which shall thereupon execute the conveyance provided for in section 6 hereof, at which time the said plant and property shall be surrendered to the municipality, which shall take possession of the same and thereafter shall operate it as a public utility.

If said ratifying vote provided for in this section shall be in the negative, no other action under this chapter shall be had during the ensuing period of two years.

Further amend Title II of said bill by renumbering section 12 to read section 11. Further amend this section by adding after the word "made" in line 179, p. 11 of the printed bill, the following: "and in so far as any municipality operates outside of its own limits, such operation shall be subject to the same jurisdiction, control and regulation by the Public Service Commission as would any other public utility so operating." so that said section as amended and renumbered shall read as follows: 11. *Operation.* A municipality, which has so acquired the plant, property or facilities of a public utility in any other municipality, may thereafter operate therein as a public utility with the same rights and franchises which the owners of such outlying plant, as purchased, would have had had such purchase not been made; and in so far as any municipality operates outside of its own limits, such operation shall be subject to the same jurisdiction, control and regulation by the Public Service Commission as would any other public utility so operating. If the outlying municipality shall itself vote to establish a municipal plant all the provisions of this chapter shall be binding as to such purchase.

Further amend Title II of said bill by renumbering section 13 to read section 12; section 14 to read section 13; section 15 to read section 14; section 16 to read section 15; section 17 to read section 16; section 18 to read section 17; and section 19 to read section 18.

The report was accepted.



The reading of the amendments having commenced on motion of Mr. Graf of Manchester the further reading was dispensed with.

The amendments were then adopted and the bill ordered to a third reading.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred Senate Bill No. 44, An act relating to the naming of certain bridges, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three thousand dollars (\$3,000) for the year 1935 and a like sum for the year 1936 be and hereby are appropriated for the improvement of the Old Mast road, so called, in the town of Lee from the Lee town house to the Durham line, provided that the town of Lee appropriates the sum of one thousand dollars (\$1,000) for the same purpose for each of the said two years. It is further provided that if the town of Lee makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Im-

provements, to whom was referred House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand seven hundred dollars (\$1700) be and hereby is appropriated for the year 1935 for the improvement of the Roberts road, so called, in the town of Rollinsford from Roberts Grange Hall to Rollinsford Five Corners provided that the town of Rollinsford appropriates the sum of nine hundred dollars (\$900) for said year for the same year. It is further provided that if the town of Rollinsford makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twelve thousand five hundred dollars be and hereby is appropriated for the purchase of materials and

equipment for the purpose of widening and improving a certain road in the town of Gilford known as the Mountain road, which is a continuation of the state road from the city of Laconia through Gilford village to the Winnepesaukee shore road; provided that the federal government makes a grant for the development of a ski jump on said road and that the construction of said road shall be made by labor provided by federal funds; also provided that the town of Gilford appropriates twelve thousand five hundred dollars for the purchase of materials and equipment for said purpose of widening and improving the Mountain road, so called. It is further provided that if the town of Gilford makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for Class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

The amendment was then adopted and the joint resolution referred to the Committee on appropriations under the rules.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred House Bill No. 219 (in new draft), An act relating to lines of telegraph and other companies in highways, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend paragraph 10 of section 1 by adding at the end thereof the following:

In no event shall any town or city or any official or employee thereof or of the state highway department be under

liability by reason of the death or of damages sustained by any person or to any property occasioned by or resulting from the location, construction or maintenance of any pole, structure, conduit, cable, wire or other apparatus in any highway, pursuant to the provisions of this chapter, so that said paragraph as amended shall read as follows:

10. *Interference with Travel.*

The location of poles and structures and of underground conduits and cables by the selectmen shall be made so far as reasonably possible so that the same and the attachments and appurtenances thereto will not interfere with the safe, free and convenient use for public travel of the highway or of any private way leading therefrom to adjoining premises or with the use of such premises or of any other similar property of another licensee; and the location of any such pole or structure or underground conduit or cable, when designated by the selectmen pursuant to the provisions of this chapter, shall be conclusive as to the right of the licensee to construct and maintain the same in the place located without liability to others, except for negligence in the construction, operation or maintenance of the same or of the attachments and appurtenances thereto and except as is expressly provided in this chapter.

In no event shall any town or city or any official or employee thereof or of the state highway department be under liability by reason of the death of or damages sustained by any person or to any property occasioned by or resulting from the location, construction or maintenance of any pole, structure, conduit, cable, wire or other apparatus in any highway, pursuant to the provisions of this chapter.

Amend paragraph 17 of section 1 by adding at the end thereof the words, or in an improper location, so that said paragraph as amended will read as follows:

17. *To Party Injured.*

They shall also be responsible directly to any party receiving injury in his person or estate from any pole or structure or underground conduit or cable or any wire or other attachment or appurtenance thereto, which has been con-



structed or maintained by any such proprietor without valid license or which has been constructed, maintained or operated under a valid license but in a negligent manner or in an improper location.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Cilley of Exeter for the Committee on Revision of the Statutes, to whom was referred House Bill No. 411, An act relating to foreign insurance companies and their agents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 358, An act relating to trailers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred Senate Bill No. 22, An act relating to lights and parking of motor vehicles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend subsection 16c of section 2 of said bill by striking out in line 1 thereof the word "Flares" and inserting in place thereof the words: *Oil Burning Lights*.; by striking out in line 3 the words, "red flare", and substituting therefor the words oil burning light; by striking out in line 5 the words, "red flares", and substituting therefor the words, oil burning lights, so that said subsection shall read as follows:

16c. *Oil Burning Lights*. Every truck, buss or tractor, except when stopping momentarily, under conditions as described in section 16b, must in addition place one oil burning light one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall at all times be required to carry oil burning lights of a type to be approved by the commissioner of motor vehicles.



The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 104, An act relating to hours of labor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 150, An act relating to workmen's compensation, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the first two paragraphs of said section and inserting in their places the following:

1. Amend chapter 178 of the Public Laws, as amended, by chapter 131, Laws of 1931 and chapters 88 and 153, Laws of 1933, by striking out the whole thereof and inserting in place thereof the following:

1. *Words and Phrases.* The following words and phrases as used in this chapter shall, unless a different meaning is plainly required by the context or specifically prescribed, be construed as follows:

Amend section 21 as inserted by section 1 of this bill by striking out the last paragraph and inserting in its place the following: The above enumeration is not to be taken as exclusive; provided, however, that a person totally disabled shall receive compensation at the rate above stated for the length of his natural life, so that said section as amended shall read as follows:

21. *Permanent Total Disability.* In case of the following injuries, the disability caused thereby shall be deemed total and permanent.

- (1) Total and permanent loss of sight of both eyes;
- (2) The loss of both feet at or above the ankle;
- (3) The loss of both hands at or above the wrist;
- (4) The loss of one hand and one foot;
- (5) An injury to the spine resulting in permanent and

complete paralysis of both legs or both arms or of one leg and of one arm; and

(6) An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive; provided, however, that a person totally disabled shall receive compensation at the rate above stated for the length of his natural life.

The report was accepted.

The question being on the amendment.

Mr. Keefe of Dover moved that the bill be indefinitely postponed and with this motion pending moved that the bill with the accompanying amendment be laid upon the table and made a special order for Tuesday, May 21, at 10:01 o'clock.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 336, An act relating to public employment of veterans, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals or other devices, with the recommendation that the bill be referred to the Committee on Public Improvements.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Improvements.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 442, An act relating to business corporations, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules, reported

the following entitled bill, House Bill No. 443, An act relating to zoning in rural lands, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work, with the recommendation that the bill be referred to the Committee on Forestry.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Forestry.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 156, Joint resolution in favor of the State House department, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Tucker of Portsmouth for the Committee on Liquor Laws, to whom was referred Senate Bill No. 9, An act relative to fees for certificates of approval from the State liquor commission and manufacturer's permits, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Tucker of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 352, An act relating to advertising liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

Mr. Martel of Berlin moved that the bill be recommitted to the Committee on Liquor Laws.

On a *viva voce* vote the motion did not prevail.

Mr. Martel asked for a division.

A division being taken, the vote was declared to be manifestly in the negative.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Dwyer of Manchester for the Committee on Liquor Laws, to whom was referred House Bill No. 158, An act relative to rules as to hours of sale of beer and other beverages, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 1 and 2 and inserting in place thereof the following:

1. *Hours of Sale.* Amend section 30, chapter 99, Laws of 1933 by adding thereto the following: "The selectmen of towns or the mayor and aldermen of cities may extend the hours during which permittees may sell beverages in their respective town and city during the evenings, provided that no beverages shall be sold later than eleven forty-five in the evening. Any person violating the rules of such extension promulgated by the selectmen or the mayor and aldermen shall be subject to the same penalties as are provided by law for the violation of any rules and regulations made by the Liquor Commission relative to the sale of beverages." so that said section as amended shall read: 30. *Hours of Sale.* The commission may from time to time fix either generally or specially for each permit the hours between which permittees may sell beverages and may make such regulations as to the conduct of persons holding sellers' permits as they deem proper. The selectmen of towns or the mayor and aldermen of cities may extend the hours during which permittees may sell beverages in their respective town and city during the evenings, provided that no beverages shall be sold later

than eleven forty-five in the evening. Any person violating the rules of such extension promulgated by the selectmen or the mayor and aldermen shall be subject to the same penalties as are provided by law for the violation of any rules and regulations made by the Liquor Commission relative to the sale of beverages.

Further amend by renumbering section 3 to read section 2.

The report was accepted.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 158, An act relative to rules as to hours of sale of beer and other beverages, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM B. CONNOR,  
CHARLES P. COAKLEY,  
F. GARLAND TUCKER,

*A minority of the Committee.*

Mr. Connor of Sutton moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Connor.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. Dwyer of Manchester asked for a division.

A division being taken 184 members voted in the affirmative and 82 members voted in the negative and the motion to substitute prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Mitchell of Campton for the special committee consisting of the delegation from the county of Grafton, to whom was referred House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Stevenson of Exeter offered the following amendment.

Amend said bill by striking out in the eighth line thereof



the word "two" and inserting in place thereof the word "eight" so that the line will read In Rockingham County \$800.00.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

#### ORDER VACATED

On motion of Mr. Callahan of Keene the order whereby House Bill No. 429, An act regarding the compensation of county commissioners was referred to the Committee on Judiciary, was vacated and the bill referred to a special committee consisting of the delegation from the county of Cheshire.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.

House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Joint Resolution No. 133, Joint resolution making appropriations for the New Hampshire building at the Eastern States Exposition.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption

of the amendments offered by the Committee on Engrossed Bills to the following entitled bills.

Senate Bill No. 42, An act relative to Penacook union school district.

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

Senate Bill No. 61, An act amending the charter of the Nashua Young Men's Christian Association.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 41 (in new draft), An act relative to building and loan associations.

Amend said bill by striking out all of said bill after section 3 and inserting in place thereof the following:

4. *Loans.* Amend said chapter 266 by adding after section 10 the following new section: 10-a. *Direct Reduction Loans.* It may also make loans on real estate on the direct reduction plan repayable in monthly installments sufficient to amortize the same, paying off interest and principal in any period of time not exceeding twenty years.

5. *Rights of Shareholders.* Amend said chapter 266 by adding at the end of said chapter the following new section: 33. *Liquidation.* All shareholders shall have the same status as to the assets of the association and in case of liquidation one class of stock shall not have preference over any other class of stock.

6. *Supervision of Building and Loan Associations.* Amend chapter 259 of the Public Laws by adding after section 5 the following new section: 5-a. *Deputy Commissioner for Building and Loan Associations.* One of the examiners in the office of the bank commissioner shall be designated by the governor and council as deputy commissioner for building and loan associations at an additional annual salary of two hundred and fifty dollars. Said deputy, under the direction of the bank commissioner, shall have

general supervision over building and loan associations, co-operative banks and similar institutions and shall have such other powers and duties as the bank commissioner may prescribe.

7. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Weston of Milford, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

Amend section 1 of said bill by striking out the first two lines of said section and inserting in place thereof the following:

1. *Sale of Artificial Flowers.* Amend chapter 157 of the Public Laws, as amended by chapter 102 of the Laws of 1931, and chapter 1, Laws of the special session of 1934, by adding after section 17 the following new sections:

Further amend said section 1 by renumbering the sections inserted by said section so that they will read 18, 19 and 20.

On motion of Mr. Wilson of Manchester, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of the State to be engrossed.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

Amend section 1 of said bill by adding at the end thereof the following words: and the provisions of said charter as they existed prior to said act are hereby revived.

Further amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 67, An act relating to the operation of motor vehicles.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 67, An act relating to the operation of motor vehicles.

The bill was read a first and second time and referred to the Committee on Judiciary.

#### NOTICE OF RECONSIDERATION

Mr. Lambert of Manchester gave notice that on tomorrow or some subsequent day he should move the reconsideration of House Bill No. 294, An act relating to neglected and delinquent children, and House Bill No. 295, An act creating a probation department for the efficient administration of justice.

#### UNFINISHED BUSINESS

Mr. Wilson of Manchester called for the unfinished business Senate Bill No. 38 (in second new draft), An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber Company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border.

The question being

Shall the bill be laid upon the table?

On a *viva voce* vote the negative prevailed.

The question being shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Secretary of State to be engrossed.

#### SPECIAL ORDERS

Mr. Jones of Lebanon called for the special order House Bill No. 113, An act relating to the weight of motor vehicles.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass.

(Discussion ensued)

Mr. Matheson of Goffstown moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 119 members voted in the affirmative and 147 members voted in the negative.

Mr. Hoyt of Sandwich demanded the yeas and nays but subsequently withdrew his demand and desired to be recorded as having voted in the negative.

On the division vote less than two-thirds of the members elected being present and voting and less than two-thirds of those voting having voted in either the affirmative or negative no valid action was taken and the bill went over into unfinished business.

Mr. Hoyt of Sandwich gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the bill went into unfinished business.

Mr. Keefe of Dover called for the special order House Bill No. 373, An act in relation to emergency public works.

The question being

Shall the report of the minority that it is inexpedient to



legislate be substituted for the report of the majority that the bill ought to pass with amendments.

On motion of Mr. Keefe of Dover the bill was recommitted to the Committee on Judiciary.

On motion of Mr. Callahan of Keene it was voted that when the House adjourns this morning it be to meet tomorrow morning at 10 o'clock, and that business in order for 2 o'clock this afternoon be made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 104, An act relating to hours of labor.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 358, An act relating to trailers.

House Bill No. 411, An act relating to foreign insurance companies and their agents.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Brouillette of Manchester at 12:16 o'clock the House adjourned.

---

THURSDAY, MAY 16, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Mr. Sanderson of Pittsfield was granted leave of absence for the day on account of important business.

Mr. Benton of Exeter was granted leave of absence for next week on account of important business.

## RESOLUTION

On motion of Mr. Lee of Concord.

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

## COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred Senate Bill No. 14 (in new draft), An act relating to mortuary regulations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 6 by striking out all of said section and inserting in place thereof the following: 6. *Compensation*. The members of the board shall receive the sum of five dollars per day while actually engaged upon the business of the board and shall be reimbursed for necessary traveling expenses incident to attendance upon the business of the board, provided that said compensation and expense shall be a charge upon the fund herein constituted and further provided that in case said fund shall be insufficient to pay said compensation and expenses the members of said board shall have no claim upon the state for said compensation.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 154, Joint resolution relating to remodeling property and premises of Donat J. Cote of Franklin, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 150, Joint resolution in favor of Henry Corran, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 101, Joint resolution in favor of Frank H. Whippie, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stobie of Hooksett for the Committee on Fisheries and Game, to whom was referred House Bill No. 186, An act relating to the taking of game, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Joint Committee, consisting of Ways and Means and Judiciary Committees, to whom was referred House Bill No. 434, An act relative to the taxation of cigar  ttes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 10, Joint resolution for the improvement of the Old Stage line, so-called, leading from Loudon to Kelley's corner in Lower Gilmanton.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

House Joint Resolution No. 17, Joint resolution for the

improvement of the road leading from Rumney to Canaan in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim center to the Franklin Pierce highway.

House Joint Resolution No. 41, Joint resolution for the improvement of the road leading from Milton to the Farmington town line known as the Farmington road.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

The message further announced that the Senate concurred with the House of Representatives in the passage of the fol-



lowing entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

Amend section 1 of said bill by striking out the word and figures "lines 12, 13, 14 and 15" and inserting in place thereof the following: the third, fourth, fifth and sixth lines.

Further amend said section 1 by striking out the word and figure "line 26" and inserting in place thereof the words, the seventeenth line.

Further amend said section 1 by striking out the word "will" in the ninth line and inserting in place thereof the word, shall.

On motion of Mr. Henderson of Durham the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed the following entitled bill and joint resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 65, An act relating to the closing of highway crossings.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

#### SENATE BILL AND JOINT RESOLUTIONS READ AND REFERRED

Senate Bill No. 65, An act relating to the closing of highway crossings.

The bill was read a first and second time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 7, Joint resolution for the

improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

The joint resolutions were severally read a first and second time and referred to the Committee on Public Improvements.

On motion of Mr. Callahan of Keene business in order at 2 o'clock was in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 14, An act relating to mortuary regulations.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 44, An act relating to the naming of certain bridges.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Ahern of Concord at 10:42 o'clock the House adjourned.

---

FRIDAY, MAY 17, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 17, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

### COMMITTEE REPORTS

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

On motion of Mr. Hunter of Hanover at 9:04 o'clock the House adjourned.

---

MONDAY, MAY 20, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 20, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House  
adjourned.

---

TUESDAY, MAY 21, 1935.

The House met at 10 o'clock.

Prayer was offered by the Rev. William Weston of Milford.

#### LEAVES OF ABSENCE

Messrs. Fournier of Nashua and Abbott of Portsmouth were granted leave of absence for the day on account of important business.

Mr. Fowell of Nashua was granted leave of absence for the week on account of illness.

Mr. Coffin of Dover was granted leave of absence until further notice on account of illness.

#### PETITION PRESENTED AND REFERRED

By Mrs. Dondero of Portsmouth: petition of citizens of New Hampshire protesting against the passage of House Bill No. 438.

Presented and referred to the Committee on Normal Schools.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 115, An act relating to Meredith Neck road.

House Bill No. 417, An act relative to the salary of the justice of the municipal court of Franklin.

Senate Bill No. 44, An act relating to the naming of certain bridges.

House Joint Resolution No. 10, Joint resolution for the improvement of the old stage line, so called, leading from Loudon to Kelley's Corner in Lower Gilmanton.

House Joint Resolution No. 17, Joint resolution for the improvement of the road leading from Rumney to Canaan, in the town of Dorchester.

House Joint Resolution No. 21, Joint resolution for the completion of the Meredith-New Hampton road and the improvement of the road leading from said road to the Laconia line.

House Joint Resolution No. 22, Joint resolution for the completion of the road from Dalton to Whitefield.

House Joint Resolution No. 26, Joint resolution for the improvement of the road in Farmington leading to the Milton line, known as Elm street.

House Joint Resolution No. 30, Joint resolution for the improvement of the Ashland, Winona and Laconia road in the town of New Hampton.

House Joint Resolution No. 32, Joint resolution relating to the improvement of road leading from Rumney to Stinson lake in the town of Rumney.

House Joint Resolution No. 40, Joint resolution for the improvement of the main road from Antrim Center to the Franklin Pierce highway in the town of Antrim.

House Joint Resolution No. 42, Joint resolution for the improvement of New London road leading from New London town line to West Springfield in the town of Springfield.

House Bill No. 41, An act relative to building and loan associations.

House Bill No. 238, An act relative to the sale of artificial flowers and miniature flags.

House Bill No. 397, An act relating to the New Hampshire-Vermont boundary.



House Bill No. 398, An act relating to the perambulation of the New Hampshire-Vermont boundary.

House Bill No. 423, An act repealing an act amending the charter of the city of Nashua.

Senate Bill No. 42, An act relative to Penacook union school district.

Senate Bill No. 43, An act relative to brands for milk cans, cases, boxes, bottles, jars and jugs.

Senate Bill No. 61, An act relating to the directors of the Young Men's Christian Association of Nashua.

House Joint Resolution No. 76, Joint resolution in favor of Eudora M. Munder of Springfield, Massachusetts.

House Joint Resolution No. 115, Joint resolution in favor of Charles Francis Hood, Walter H. Hood and Nellie F. Hagerty.

House Joint Resolution No. 124, Joint resolution in favor of Lena M. French of Pittsfield.

House Joint Resolution No. 133, Joint resolution making appropriation for the New Hampshire building at the Eastern States exposition.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Joint Resolution No. 155, Joint resolution relative to assessment and collection of taxes, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

## PERSONAL PRIVILEGE

Mr. Molloy of Nashua rose to a question of personal privilege and stated that certain actions taken by the promoters of the Salem race track were not in accord with their previous promises.

On motion of Mr. Molloy of Nashua, a committee was appointed to investigate conditions at the Salem race track.

The Speaker appointed as members of such committee Messrs. Molloy of Nashua, Cote of Manchester, Chandler of Gorham, Kittredge of Portsmouth and Saltmarsh of Concord.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

Amend Subsection II of Section 1 of Chapter 179A of the Public Laws as inserted by Section 1 of said bill by striking out said subsection and inserting in place thereof the following:

"II. 'Commissioner', the Commissioner of Labor or his authorized representative."

Amend Subsection IV of said Section 1 of said new chapter by striking out the words and figures "one hundred fifty dollars (\$150.00) a month" in lines 19 and 20 and inserting in place thereof the following: twenty-five hundred dollars (\$2500.00) a year or its equivalent, so that said subsection as amended shall read as follows:

"IV. 'Employee', any person employed by any employer and in any employment subject to this chapter except any person employed at other than manual labor at a rate of more than twenty-five hundred dollars (\$2500.00) a year or its equivalent."

Amend subsection V of said Section 1 of said new chapter by striking out the word "five" in line 26 and inserting in place thereof the word ten and by striking out the words "commission rules" in line 47 and inserting in place thereof the words rules of the commissioner. Further amend said subsection by striking out the word "commission" in lines 59 and 61 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"V. 'Employer', any person, partnership, association, corporation, whether domestic or foreign, or the legal representative, trustee in bankruptcy, receiver, or trustee thereof, or the legal representative of a deceased person, who or whose agent or predecessor in interest has employed at least ten persons in employment subject to this chapter at least eighteen weeks in the preceding calendar year; provided that such employment in 1935 shall make an employer subject on January 1, 1936, and such employment in any subsequent calendar year shall make a newly subject employer subject for all purposes as of January first of the calendar year in which such employment occurs.

"In determining whether an employer employs enough persons to be subject hereto, and in determining for what contributions he is liable hereunder, he shall, whenever he contracts with any contractor or subcontractor for any work which is part of his usual trade, occupation, profession, or business, be deemed to employ all persons employed by such contractor or subcontractor on such work, and he alone shall be liable for the contributions measured by wages paid to such persons for such work; except as any such contractor or subcontractor, who would in the absence of the foregoing provisions be liable to pay said contributions, accepts exclusive liability for said contributions under an agreement with such employer made pursuant to general rules of the commissioner.

"All persons thus employed by an employer in all of his several places of employment maintained within the state, shall be treated as employed by a single 'employer' for the purposes of this chapter; provided, moreover, that where any

employer, either directly or through a holding company or otherwise, has a majority control or ownership of otherwise separate business enterprises employing persons in the state, all such enterprises shall be treated as a single 'employer' for the purposes of this chapter.

"Any employer who shall cease to be subject hereto shall forthwith notify the Commissioner thereof in writing, setting forth the facts in such detail and in such manner as the Commissioner may by general rule prescribe."

Amend subsection VI of said Section 1 of said new chapter by striking out Subdivision (e) thereof and inserting in its place the following: (e) Physicians and nurses in public or private hospitals, and by adding a further subsection after line 85 as follows: (f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which accrues to the benefit of any private shareholder or individual, so that said subsection as amended shall read as follows:

"VI. 'Employment', any employment in which all or the greater part of the person's work is customarily performed within this state, under any contract of hire, oral or written, express or implied, whether such person was hired and paid directly by the employer or through any other person employed by him; provided the employer had actual or constructive knowledge of such contract. Such employment shall include the person's entire employment.

"Except as provided in any reciprocal benefit arrangement made pursuant to this chapter 'employment' shall not include any employment covered by any unemployment compensation system established by an Act of Congress.

"Nor shall the term 'employment' apply to:

"(a) Employment as a farm laborer.

"(b) Employment in domestic service in private homes.

"(c) Employment by the Federal or State government or any subdivision or agency thereof.

"(d) Employment as teacher or officer in a public or private school or college.

"(e) Physicians and nurses in public or private hospitals.

"(f) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which accrues to the benefit of any private shareholder or individual."

Amend subsection VIII of said Section 1 of said new chapter by striking out the word "commission" in lines 92, 102, 106, 109 and 112 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"VIII. 'Full-time weekly wage', the weekly earnings an employee would receive from his employment if employed at the 'hourly rate of earnings' and for the 'full-time weekly hours' applicable to such employee. The commissioner shall make such rules and adopt such methods of calculating full-time weekly wages as may be suitable and reasonable under this subsection.

"(a) The applicable 'hourly rate of earnings' shall be determined by averaging the employee's actual earnings for at least one hundred hours of employment with his most recent employer.

"(b) 'Full-time weekly hours', the standard weekly hours customarily worked by employees in the employment in question. Where there are no such customary standard weekly hours, the commissioner shall determine the standard by averaging weekly hours for all calendar weeks in at least the past three months in which the employee has worked thirty hours or more, or by such equitable method as the commissioner may by general rule prescribe.

"In the case of any employee who is found by the commissioner, at the time he becomes eligible for benefits, to be unable, by reasons of physical disability or by any other reason, other than lack of employment, to work half the full-time weekly hours, the commissioner shall determine his full-time weekly hours for benefit purposes by averaging his



weekly hours for all weeks in at least the past three months in which he worked."

Amend subsection XII of said Section 1 of said new chapter by striking out the word "commission" in line 134 and inserting in place thereof the word commissioner, so that said subsection as amended shall read as follows:

"XII. 'Wages', every form of remuneration for employment received by a person from his employer, directly or indirectly, including salaries, commissions, bonuses, and the reasonable value of board, rent, housing, lodging, payments in kind, and similar advantages. Where gratuities are received by the employee in the course of his employment from a person other than his employer, the value of such gratuities shall, subject to the approval of the commissioner, be included as part of his wages received from his employer."

Amend Section 2 of said new chapter by striking out the word "commission" in line 160 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"2. *Fund*. There is hereby created the Unemployment Compensation Fund to be administered by the commissioner, subject to audit by the comptroller without liability on the part of the state beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions and moneys paid into and received by the fund as provided by this chapter, of property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned thereon."

Amend Section 4 of said new chapter by striking out the word "commission" in lines 173 and 175 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "may" in line 182 and inserting in place thereof the word shall, so that said section as amended shall read as follows:

"4. *State Treasurer Custodian of Fund*. The state treasurer shall be the custodian of the fund; and all disbursements therefrom shall be paid by him upon vouchers signed by the commissioner. He shall give a separate and additional bond

with sufficient sureties in an amount to be fixed by the commissioner conditioned upon the faithful performance of his duty as custodian of the fund. He may deposit or invest any portion of the fund not needed for immediate use, in the manner and subject to all the provisions of law respecting his deposit of other state funds held by him; provided further, that upon the establishment of an Unemployment Trust Fund by the United States Government or its authorized agency he shall invest therein so long as such trust fund exists. Premiums upon bonds required pursuant to this section shall be paid from the Unemployment Administration Fund."

Amend Section 5 of said new chapter by striking out the word "commission" in line 194 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"5. *Payment.* On and after the first day of January, 1936, contributions shall accrue and become payable by each employer then subject to this chapter. Thereafter, contributions shall accrue and become payable by any employer on and after the date on which he becomes subject to this chapter. The contributions required hereunder shall be paid by each employer in such manner and at such times as the commissioner may prescribe."

Amend Section 7 of said new chapter by adding after the word "years" in line 216 the words or the five preceding years whichever is higher, and by striking out the last sentence thereof, so that said section as amended shall read as follows:

"7. *Merit Ratings or Reduction in Contributions.* The commissioner shall, beginning in 1941, classify employers in accordance with the actual experience with regard to the contributions which they have paid in their own behalf and the benefits which the Unemployment Compensation Fund has paid to their employees, or to employees whose benefits are charged against such employers. If it appears in the accounts established and kept as provided below that an employer shows, as excess of contributions paid in his own behalf over benefits paid to his employees or chargeable to him, a reserve equal to eight percent or more of the average of

his total payrolls for the three preceding years, or the five preceding years whichever is higher, his rate of contribution shall be reduced to two and one-half percent; if the reserve is ten percent but less than twelve percent, the rate shall be reduced to two percent; if the reserve is twelve percent but less than fifteen percent, the rate shall be one and one-half percent; and if the reserve is fifteen percent or more, the rate shall be one percent. The minimum contribution thus payable to the fund by the employer in his own behalf shall in no case amount to less than one percent."

Amend Section 8 of said new chapter by striking out the word "accounts" in lines 228 and 229 and inserting in place thereof the word records and by striking out the word "commission" in line 228 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"8. *Records.* The commissioner shall keep separate records of the amounts paid into the fund by each employer in his own behalf, or chargeable to him as benefits; but nothing in this chapter shall be construed to grant any employer or his employees prior claims or rights to the amount contributed by him to the fund, either on his own account or on behalf of his employees. The amount of employer contributions together with the employee contributions shall be pooled and available to pay benefits to any employee entitled to benefits under the provisions of this chapter regardless of the source of such contributions."

Amend Section 9 of said new chapter by striking out the words "employer's account" in lines 240 and 241 and inserting in place thereof the word employer, so that said section as amended shall read as follows:

"9. For the purpose of determining which employer shall be debited with the amount of benefits paid to an employee who, during the period of the effective operation of this chapter, prior to the receipt of benefits, has worked for more than one employer, the liability of the two or more accounts shall be in inverse order to the succession of the several employments of the employee. The liability of any employer's ac-

count shall be limited to two years previous to the time when the worker last registered as unemployed; and the extra weeks of unemployment benefit for those who are entitled thereto because of previous steady employment dating back more than two years, as provided herein, shall not be chargeable against any employer's account."

Amend Section 10 of said new chapter by striking out the word "commission" in line 257 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"10. No employer shall have the advantage of a merit rating unless the reserve computed remains at a level justifying the lower rate of contributions, except that the commissioner may, for purposes of convenience, fix quarterly, half yearly, or other reasonable periods during which the lower contributions based on merit rating shall remain unchanged."

Amend Section 11 of said new chapter by striking out the word "commission" in line 261 and inserting in place thereof the word commissioner, and by striking out the word "It" in lines 264 and 267 and inserting in place thereof the word he so that said section as amended shall read as follows:

"11. *Segregation of Special Risks.* The commissioner shall investigate and report upon the degree of unemployment hazard in various industries and occupations and their cost to the unemployment fund. He shall recommend to employers in industries or occupations showing an excessive cost to the fund means for stabilizing employment. He shall also, if necessary, recommend to the legislature a higher rate of contribution for any classification of industries or occupations in which unemployment is excessive or chronic."

Amend Section 12 of said new chapter by adding after the word "percent" in line 275 the words provided that the rate of contributions required of employees shall in no case exceed fifty percent of the general rate required of employers. Further amend said section by striking out the words "commission rules" in line 279 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:



"12. *Contributions by Employees.* Beginning on January 1, 1936, each employee shall contribute to the fund one-half of one percent of his wages; and beginning on January 1, 1937, and thereafter he shall contribute one percent, provided that the rate of contributions required of employees shall in no year exceed fifty percent of the general rate required of employers. Each employer shall withhold such contribution from the wages of his employees, shall show such deduction on his payroll records, and shall transmit all such contributions to the fund, pursuant to general rules of the commissioner."

Amend Section 13 of said new chapter by adding after the word "paid" in line 285 the words through employment offices, and by striking out the word "commission" in line 286 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"13. *Payment of Benefits.* After contributions have been paid under this chapter for two years, benefits shall become payable from the fund to any employee who thereafter is or becomes unemployed and eligible therefor. Such benefits shall be paid through employment offices at such times and in such manner as the commissioner may specify."

Amend Section 14 by striking out Subsection (2) and inserting in place thereof the following: (2) The minimum payable in the case of an employee whose full-time weekly wage is ten dollars or less shall be seventy percent of his wage, but not more than five dollars, so that said section as amended shall read as follows:

"14. *Weekly Benefits for Total Unemployment.* An employee totally unemployed and eligible in any week shall be paid benefits, computed to the nearest half dollar, at the rate of fifty percent of his full-time weekly wage, except that:

"(1) the maximum benefit payable shall be \$15 per week; and

"(2) the minimum payable in the case of an employee whose full-time weekly wage is ten dollars or less shall be seventy per cent of his wage, but not more than five dollars."

Amend Section 15 of said new chapter by striking out the



word "benefits" in line 309 and inserting in place thereof the word earnings, so that said section as amended shall read as follows:

"15. *Weekly Benefits for Partial Unemployment.* An employee partially unemployed and eligible in any week shall be paid sufficient benefits so that his week's wages and any other pay for personal services, including net-earnings from self-employment and his benefits combined, will be at least two dollars more than the weekly benefit to which he would be entitled if totally unemployed in that week, but not exceeding sixty percent of the earnings for full-time employment. In any week in which the employee has received benefits for partial unemployment, the amount of time he has worked shall not be used as a basis for further benefit."

Amend Section 17 of said new chapter by striking out the words "commission rules" in line 331 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:

"17. *Weeks of Benefit in Any Year.* Benefits shall be paid each employee for the weeks during which he is totally or partially unemployed and eligible for benefits, based on his past weeks of employment. Except as provided in section 18, no employee shall receive for his weeks of unemployment occurring within any 52 consecutive weeks more than 16 weeks of total unemployment benefits, or an equivalent total amount of benefits for partial unemployment or partial and total unemployment combined, as determined by rules of the commissioner. In no case shall benefits for partial unemployment be paid for a longer period than fifty-two weeks."

Amend Section 18 of said new chapter by adding at the end thereof the following sentence: The maximum number of additional weeks of benefit thus allowed shall be ten, provided that such additional weeks shall not be a basis for partial unemployment benefits, so that said section as amended shall read as follows:

"18. *Additional Benefits (One-to-Twenty-four Ratio).* An eligible employee who has received the maximum benefits permitted hereunder shall receive additional benefits in the

ratio of one week of total unemployment benefit, or its equivalent, for each unit of twenty-four aggregate weeks of employment for which he has paid the employee contribution of one percent provided herein occurring within the six years preceding the close of his most recent week of employment, and against which benefits have not already been charged under this chapter. The maximum number of additional weeks of benefit thus allowed shall be ten, provided that such additional weeks shall not be a basis for partial unemployment benefits."

Amend Section 19 of said new chapter by striking out the word "commission" in lines 348, 349 and 360 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"19. *Benefits in Emergencies and for Special Groups.* If in any six months period the amount paid in benefits from the unemployment fund has exceeded the income; or, if, in the judgment of the commissioner, the reserves in the fund are in serious danger of depletion, the commissioner may declare an emergency and announce a modified scale of benefits, an increased waiting period, or other changes in the rules and regulations regarding eligibility for payment of benefits which he may deem necessary to maintain the reserves of the fund.

"If, as a result of experience there should be found within the insured group certain industries or occupations normally yielding individual workers periods of employment of less than two weeks for any given employer or normally involving work for a number of employers, the commissioner may place these industries or occupations in categories having special rules regarding eligibility for payment of benefits or reduced scale of benefits."

Amend Section 20 of said new chapter by striking out the word "commission" in lines 367 and 371 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"20. *Part-time Employment.* An employee who customarily works less than the full time prevailing in his place of

employment shall register as a short-time worker in such manner as the commissioner shall prescribe. The time which such employee normally works in any week shall be deemed his week of full-time employment, and the wages he earns in such week shall be deemed his full-time weekly wage. The commissioner shall fix the proportionate number of days of employment required to qualify for benefits in place of the other provisions contained herein and the proportionate maximum and minimum benefits in lieu of the maximum and minimum amounts provided herein."

Amend Section 22 of said new chapter by striking out the word "commission" in lines 390, 392, 395 and 406 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"22. *Availability and Registration for Work.* An employee shall not be eligible for benefits in any week of his partial or total unemployment unless in such week he is able to work and available for work. To prove such availability, every employee partially or totally unemployed shall register for work and shall file claim for benefits at the employment office designated by the commissioner for this purpose, within such time limits and with such frequency and in such manner as the commissioner may by general rule prescribe. No employee shall be eligible for benefits for any week in which he fails without good cause to comply with such registration and filing requirements. The commissioner shall furnish copies of his rules covering such requirements to each employer, who shall notify his employees of the terms thereof by posting and maintaining the same in a conspicuous place in his establishment.

"In claiming benefits hereunder an employee shall, during each week of his unemployment, correctly report any wage-earning employment he had in such week and any wages he received for such employment, including employments not subject to this chapter, and shall **make such reports in accordance** with such rules as the commissioner shall prescribe."

Amend Section 26 of said new chapter by striking out the

words "inefficiency or" in line 452 and the words "following the week in which such discharge occurred" in lines 454 and 455, so that said section as amended shall read as follows:

"26. *Discharge.* An employee who has been discharged for misconduct shall thereby become ineligible for benefits until after a waiting period of six weeks, and the employee's maximum weeks of benefit per year shall be reduced by three weeks."

Amend Section 27 of said new chapter by adding at the end thereof the words subsequent to such refusal of suitable employment, so that said section as amended shall read as follows:

"27. *Refusal of Suitable Employment.* If an otherwise eligible employee fails, without good cause, to apply for suitable employment when notified by the employment office, or to accept suitable employment when offered him, in each such instance, he shall thereby become ineligible for benefits for the week in which such failure occurred and for the three next following weeks; and such weeks shall be charged, as if benefit for total unemployment had been paid therefor, against the employee's most recent weeks of employment against which benefits have not previously been charged hereunder, and shall also be counted against his maximum weeks of benefit per year; provided, however, that the period thus charged shall not exceed the period of actual unemployment, subsequent to such refusal of suitable employment."

Amend Section 28 of said new chapter by striking out the word "so" in line 486 and the words "as to depress unduly wages or working conditions" in lines 487 and 488, so that said section as amended shall read as follows:

"28. 'Suitable employment,' shall mean any employment not detrimental to the health, safety or morals of an employee for which he is reasonably fitted, including employment not subject to this chapter, which is located within reasonable distance of his residence or last employment, and which does not involve travel expense substantially greater than that required in his former employment. No employment shall be deemed suitable, and benefits shall not be



denied under this chapter to any otherwise eligible employee for refusing to accept new work under any of the following conditions: (a) if there is a strike, or other labor dispute in the establishment in which the employment is offered; (b) if the wages, hours, and other conditions of the work offered are substantially less favorable to the employee than those prevailing for similar work in the locality; (c) if acceptance of such employment would require the employee to join a company union or would abridge or limit his right to join or retain membership in any bona fide labor organization."

Amend Section 30 of said new chapter by striking out the words "commission rules" in line 502 and inserting in place thereof the words rules of the commissioner, so that said section as amended shall read as follows:

"30. *Filing.* Benefit claims shall be filed at the state employment office at which the employee has registered as unemployed, pursuant to general rules of the commissioner."

Amend Section 31 of said new chapter by striking out the word "commission" in lines 504 and 509 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"31. *Initial Determination.* The local employment office official designated by the Commissioner shall promptly determine whether or not the claim is valid and the amount of the benefits payable thereunder, and shall give notice of such decision to the employee, his most recent employer and such other parties as the Commissioner may deem interested. Benefits shall be paid or denied accordingly, unless a hearing is requested by a party affected within five days after such notification. Said official shall render a decision as promptly thereafter as possible and shall notify the parties affected."

Amend Section 32 of said new chapter by striking out the word "commission" in lines 516 and 517 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"32. *Appeals.* Any party affected by such decision may file an appeal in such manner and within such time as the



commissioner may designate with such appeal tribunal as the commissioner may establish for this purpose."

Amend Section 33 by striking out the word "commission" in line 524 and inserting in place thereof the word commissioner and by striking out all after the word provided in line 534, so that said section as amended shall read as follows:

"33. *Appeal Tribunals.* Such appeal tribunals shall consist of an employer or a representative of employers, an employee or a representative of employees, and one representative of the public who shall act as chairman. The members shall serve during the pleasure of the commissioner. No person shall hear any case in which he is a directly interested party. With the written consent of the parties, the chairman of such appeal tribunal may act for it at any session in the absence of one or both of the other members, provided that they have had due notice of such session. The appeal board shall render its decision within ten days and shall notify the interested parties. Where the appeal board affirms a decision of the designated official, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken to the courts as hereinafter provided."

Amend Section 34 of said new chapter by striking out the words "commission rules" in line 538 and inserting in place thereof the words rules as prescribed by the commissioner, so that said section as amended shall read as follows:

"34. *Procedure.* General rules as prescribed by the commissioner shall govern the manner in which claims shall be presented, the reports thereon required from the employee and from employers, and the conduct of hearings and appeals. Such rules shall be designed to ascertain the substantial rights of the parties involved, without regard to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with a disputed claim."

Amend Section 35 of said new chapter by striking out line 548 and inserting in place thereof the following: 35. *Review by Commissioner.* The commissioner shall. Further

amend said section by striking out the word "its" in line 551 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"35. *Review by Commissioner.* The commissioner shall have the power to remove or transfer the proceedings on any claim pending before a designated official or appeal tribunal; and may, on his own motion, within ten days after the date of any decision by such official or appeal tribunal, affirm, reverse, change, or set aside any such decision on the basis of the evidence previously submitted in such case, or upon the taking of additional testimony."

Amend Section 37 of said new chapter by striking out the word "commission" in lines 567, 568 and 571 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in line 571 and inserting in place thereof the word his so that said section as amended shall read as follows:

"37. *Appeal to courts.* Any party aggrieved by any ruling of law in any proceeding hereunder, having excepted thereto, may file his exceptions with the commissioner within ten days after the filing of the findings, and the same shall be allowed by the commissioner so far as conformable to the facts. Thereupon the case shall be transferred to the Supreme Court as in actions at law. The commissioner may of his own motion transfer to the Supreme Court any question of law arising in the administration of this chapter. Such judicial review shall be barred unless the other remedies herein provided have been exhausted."

Amend Section 38 of said new chapter by striking out the word "section" in line 577 and the word "commission" in line 579 and inserting in place thereof the words respectively chapter, commissioner, so that said section as amended shall read as follows:

"38. *Oaths and Witnesses.* In the discharge of the duties prescribed by this chapter, any designated official, member of an appeal tribunal, commissioner, or duly authorized representative of the commissioner shall have power to administer oaths, take depositions, certify to official acts, and

by subpoena compel the attendance of witnesses and the production of books, papers, documents and records. Witnesses summoned shall be paid the same fees as witnesses summoned to appear before the Superior Court."

Amend Section 39 of said new chapter by striking out the word "commission" in lines 589 and 590 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"39. *Testimonial Privilege.* No person shall be excused from testifying or from producing any book or paper in any investigation or inquiry by or upon any hearing before the commissioner, when ordered to do so by the commissioner, upon the ground that the testimony or evidence, book or document required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which under oath, after claiming his privilege, he shall by order have testified or produced documentary evidence."

Amend Section 40 of said new chapter by striking out the word "commission" in lines 599, 600, 601, 604 and 607 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "it" in line 610 and inserting in place thereof the word he, so that said section as amended shall read as follows:

"40. *Duties and Powers of Commissioner.* It shall be the duty of the commissioner to administer this chapter. The commissioner shall have the power and authority to adopt and enforce all reasonable rules and orders necessary or suitable to that end. In this connection the commissioner may make any expenditures, require any reports and take any other action necessary and suitable to carry out the provisions of this chapter. Annually, by the first day of January, the commissioner shall submit to the governor a summary report covering the administration and operation of this chapter during the preceding year, together with such recommendations as he deems proper."

Amend Section 41 of said new chapter by striking out the word "commission" in line 612. Further amend said section by striking out the word "commission" in line 613 and the word "its" in line 614 and inserting in their respective places the words commissioner and his, so that said section as amended shall read as follows:

"41. *General Rules.* The general rules adopted by the commissioner for the administration of this chapter shall be duly recorded in his minutes and be filed with the Secretary of State, and shall thereupon have the force and effect of law. Such rules may be amended, altered or repealed in the same manner as herein provided for their adoption."

Amend Section 42 of said new chapter by striking out the word "commission" in line 619 and inserting in place thereof the word commissioner, by striking out the word "its" in line 621 and inserting in place thereof the word his, and by striking out the word "it" in line 622 and inserting in place thereof the word he, so that said section as amended shall read as follows:

"42. *Publication.* The commissioner shall cause to be printed in proper form for distribution to the public the text of this chapter, his general rules, his annual report to the governor, and any other material he deems relevant and suitable, and shall furnish the same to any person upon request."

Amend Section 43 of said new chapter by striking out the word "commission" in lines 625, 633, 635 and 638 and inserting in place thereof the word commissioner, by striking out the words "under rules and regulations of the commission" in line 632, by striking out the word "a" in line 637 and inserting in place thereof the word the, and by striking out the word "its" in line 639 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"43. *Personnel.* The commissioner is authorized to employ all the necessary officers, accountants, clerks, agents, investigators, auditors and other persons necessary for the proper administration of this chapter and to fix the amount of their compensation subject to the approval of the gov-



ernor and council. They shall be selected and appointed on a nonpartisan merit basis. The commissioner shall not employ or pay any person who is serving as an officer or committee member of any party organization. The commissioner shall fix the duties and powers of all persons thus employed, and may authorize any such person to perform any of the functions of the commissioner under this chapter. The commissioner may in his discretion, bond any person handling moneys or signing checks hereunder."

Amend Section 44 of said new chapter by striking out the word "commission" in line 641, the word "It" in line 643, and the word "its" in said line 643 and inserting in their respective places the words commissioner, he, and his, so that said section as amended shall read as follows:

"44. *Employment Stabilization.* The commissioner shall endeavor to promote the regularization of employment. He shall take all appropriate steps within his means to reduce and prevent unemployment and to promote the reemployment of unemployed workers throughout the state."

Amend Section 45 of said new chapter by striking out the word "commission" in lines 651, 653, 656, 660 and 663 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in lines 651 and 663 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"45. *Records and Reports.* Every employer shall keep true and accurate records of all persons employed by him showing the weekly hours worked by each, and the weekly wages paid by him to each. Such records shall be open to inspection by the commissioner or his authorized representatives at any reasonable time. The commissioner may require from any employer such reports on the wages, hours, employment, unemployment and related matters concerning his employees as the commissioner deems necessary to the effective administration of this chapter. Information secured from employers or employees pursuant to this chapter shall not be open to the public nor be used in any court in any action or proceeding pending therein unless the commissioner



or the state is a party to such action or proceeding. Any officer or employee of the state, who, without authority of the commissioner or pursuant to his regulations, or as otherwise required by law, shall disclose the same, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment."

Amend Section 46 of said new chapter by striking out the word "commission" in lines 669, 670 and 673 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"46. *Representation in Court.* On request of the commissioner, the attorney general shall represent the commissioner and the state in any court action relating to this chapter or to its administration and enforcement; provided, however, that special counsel may be designated by the commissioner with the approval of the governor."

Amend Section 47 of said new chapter by striking out the word "commission" in line 675 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"47. *State-Federal Cooperation.* The commissioner is hereby authorized to cooperate with the appropriate agencies and departments of the federal government in matters relating to the administration of this chapter, and to comply with all reasonable federal regulations governing the expenditures of sums allotted or apportioned to the state for such administration and accepted by the state."

Amend Section 48 of said new chapter by striking out the word "commission" in lines 684 and 694 and inserting in place thereof the word commissioner. Further amend said section by striking out the word "its" in line 695 and inserting in place thereof the word his, so that said section as amended shall read as follows:

"48. *Reciprocal Arrangements.* The commissioner is hereby authorized, subject to approval by the governor and council, to enter into reciprocal arrangements with the proper authorities in the case of any other unemployment compen-

sation system established by any law of another state or by an Act of Congress, as to persons who have newly come under this chapter or under such other system, whereby benefits shall be paid through the fund of the unemployment compensation system applicable to such person. Such reciprocal arrangements shall be adopted and published by the commissioner in the same manner as his general rules."

Amend Section 50 of said new chapter by striking out the word "commission" in line 712 and inserting in place thereof the word commissioner, so that said section as amended shall read as follows:

"50. *Limitation of Fees.* Any employee claiming benefits in any proceeding or court action may be represented by counsel or other duly authorized agent. Fees for such services rendered by such agent shall not be allowable or payable unless such agent is an attorney or counselor-at-law; nor unless the amount has been approved by the commissioner. Any person, firm or corporation who shall exact or receive any remuneration or gratuity for any services rendered on behalf of a claimant, except as authorized by this section, or who shall solicit the business of appearing on behalf of a claimant, or who shall make it a business to solicit employment for another in connection with any claim for benefits under this chapter shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment.

Amend Section 57 of said new chapter by striking out the said section and inserting in place thereof the following:

"57. *Special Fund.* There is hereby created the 'Unemployment Compensation Administration Account' to be used by the commissioner for the administration of this chapter. This account shall include the amount of money which the Federal Government may contribute to the state for such purpose. This special account shall be handled by the state treasurer as other state moneys are handled, subject to audit by the comptroller; but it shall be expended solely for the purpose herein specified, and its balance shall not lapse at any time but shall remain continuously available to the commissioner for expenditures consistent herewith."

Amend Section 60 of said new chapter by striking out the words "commission" and "its" in line 804 and inserting in their respective places the words commissioner and the, so that said section as amended shall read as follows:

"60. All moneys in the Unemployment Administration account are hereby appropriated as they become available to the commissioner including the employment office service."

Amend said new chapter by adding at the end thereof the following new section:

"63. *Reserved Right.* All the rights, privileges, or immunities conferred by this chapter or by acts done pursuant thereto shall be subject to the reserved right of the legislature to alter, amend or repeal this chapter or any portion thereof at any time."

Amend Section 2 of said bill by striking out the said section and inserting in place thereof the following new section:

"2. *Study of Partial Unemployment.* The commissioner shall make a study of partial unemployment and shall make such recommendations to the next session of the Legislature with respect to conditions and terms of partial unemployment benefits as he shall deem necessary."

Further amend said bill by adding at the end thereof the following new section:

"3. *Effective Date.* The governor shall by proclamation declare the effective date of this act after the passage of Federal legislation imposing a tax for unemployment compensation. In the event that the imposition of such a tax by such federal legislation should be finally adjudged invalid, the provisions of this act shall cease to become operative."

On motion of Mr. Davis of Conway the rules were suspended and the reading of the amendments dispensed with.

On motion of the same member the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Davis of Conway, Ahern of Concord, and Carroll of Laconia.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 26, An act relative to glaring headlights on motor vehicles.

SENATE BILL READ AND REFERRED

Senate Bill No. 26, An act relative to glaring headlights on motor vehicles.

The bill was read a first and second time and referred to the Committee on Transportation.

SPECIAL ORDER

Mr. Jones of Lebanon called for the special order House Bill No. 150, An act relating to workmen's compensation.

The question being

Shall the bill be indefinitely postponed with an amendment pending?

(Discussion ensued)

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, shall the bill be indefinitely postponed?

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Brouillette of Manchester asked for a division.

A division being taken, 241 members voted in the affirmative and 60 members voted in the negative and the bill was indefinitely postponed.

RESOLUTION

Mr. Stevenson of Exeter offered the following resolution:

*Resolved*, That the Director of Relief, and the Director of Welfare, be requested to transmit to the House of Representatives a detailed list of the personnel employed under the provisions of Chapter 20 of the Laws of 1935, together with the salaries paid to each and the duties which each is supposed to perform; and also to transmit a detailed statement of the sums paid out under the authority of said Chapter 20 to individuals and communities for relief.

On a *viva voce* vote the resolution was adopted.

## RECONSIDERATION

Mr. Cole of Northumberland moved that the action of the House whereby it voted that it was inexpedient to legislate on House Bill No. 181, An act relating to the rules and regulations of the liquor laws, be reconsidered.

The question being on the motion of Mr. Cole.

(Discussion ensued)

Mr. Kearns of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider.

On a *viva voce* vote the negative prevailed.

Mr. Cole of Northumberland asked for a division.

A division being taken, 135 members voted in the affirmative and 184 members voted in the negative and the motion did not prevail.

## AMENDMENT

Mr. Stevenson of Exeter moved to amend the resolution previously introduced by him by inserting after the word "representatives" in the second line the words "not later than June 1."

On a *viva voce* vote the amendment was adopted.

## UNFINISHED BUSINESS

Mr. Pillsbury of Derry called for the unfinished business House Bill No. 113, An act relating to the weight of motor vehicles.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

On a *viva voce* vote the motion did not prevail.

Mr. Hoyt of Sandwich asked for a division.

A division being taken, 116 members voted in the affirmative and 169 members voted in the negative and the motion to substitute did not prevail.



Mr. Ahern of Concord moved that the vote be reconsidered at the present time.

On a *viva voce* vote the motion did not prevail.

The bill was then ordered to a third reading.

Mr. Lambert of Manchester moved that the rules be suspended and the bill made in order for a third reading at the present time.

Mr. Hoyt of Sandwich asked for a division.

A division being taken, 186 members voted in the affirmative and 95 members voted in the negative and the necessary two-thirds required to suspend the rules not having voted in the affirmative the motion did not prevail.

#### RECALLED FROM GOVERNOR

Mr. Osborne of Sunapee moved that Senate Bill No. 38, An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purpose of a State forest reservation and park and the construction of a road to the Canadian border be recalled from His Excellency the Governor.

The question being on the motion of Mr. Osborne.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Osborne of Sunapee the vote whereby the bill passed was reconsidered.

On motion of the same member the bill was put back upon its second reading.

Mr. Osborne of Sunapee offered the following amendments.

Amend the paragraph numbered 3 of the preamble by adding before the word, park, the words, "forest reservation and," so that said paragraph as amended shall read as follows:

3. The said land outside of the road bed shall be maintained as a state forest reservation and park.

Amend the paragraph numbered 6 of the preamble by striking out the words, highway or park, and inserting in place thereof the word, "deeded," so that said paragraph as amended shall read as follows:

6. No signs shall appear on the deeded area, except State direction or protective signs.

Amend the paragraph numbered 7 of the preamble by striking out the same and inserting in place thereof the following:

7. In the event that the area outside the highway is abandoned by the State as a forest reservation and park, it shall revert to the New Hampshire-Vermont Lumber company.

Amend the paragraph numbered 8 of the preamble by striking out the words, and the park area, so that said paragraph as amended shall read as follows:

8. The State agrees to paint-mark the boundaries of the deeded area on completion of the road project at its expense and to replace such markings every five years.

Amend Section 3 of the bill by inserting before the word, park, in the fourth line the words, "forest reservation and," so that said section as amended shall read as follows:

3. *Maintenance.* The expenses of laying out and constructing said road and the maintenance thereof except for such assistance as may be provided by said Civilian Conservation Camp under the forestry department shall be a charge upon the state highway funds and the maintenance of said forest reservation and park area shall be under the supervision of the forestry department.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

On motion of Mr. Osborne of Sunapee the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence in the amendments.

### COMMITTEE REPORT

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules,

reported the following entitled bill, House Bill No. 447, An act to establish the New Hampshire Water Resources Board with the recommendation that the bill be referred to a joint committee consisting of the Committees on Appropriations and Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Wilson of Manchester the bill was referred to a joint committee consisting of the Committees on Appropriations and Judiciary.

Mr. Martel of Berlin moved that business in order at 2 o'clock be made in order at the present time.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Cote of Manchester at 12 o'clock the House adjourned.

## AFTERNOON

The House met at 2 o'clock.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Joint Resolution No. 155, Joint resolution relative to assessment and collection of taxes.

Read a third time and passed and sent to the Senate for concurrence.

House Bill No. 113, An act relating to weight of motor vehicles.

Read a third time.

The question being

Shall the bill pass?

Mr. Pickering of Newington moved that the bill be indefinitely postponed and on this motion asked for a division.

A division being taken, 88 members voted in the affirmative and 97 members voted in the negative, and a quorum of the House not being present, at 2:20 o'clock the House

was declared adjourned, the bill going over into unfinished business.

---

WEDNESDAY, MAY 22, 1935.

The House met at 10 o'clock.

Prayer was offered by the Rev. Harry E. Little of Barnstead.

#### LEAVE OF ABSENCE

Mr. Perry of Jaffrey was granted leave of absence for the remainder of the week on account of important business.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 145, An act authorizing the state of New Hampshire to take over a section of the road in the town of Bristol for purpose of maintenance.

House Bill No. 353, An act relative to conveyance of land to the state for highway purposes.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province Lake road, in the town of Wakefield, leading from Woodman to the state of Maine line at Parsonsfield.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.

House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road, leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for improvement of Kearsarge mountain road in Wilmot.

The report was accepted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 156, Joint resolution in favor of the State house department, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.



Amend said joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of sixteen thousand five hundred dollars be and hereby is appropriated for the purchase of materials and equipment for the purpose of widening and improving a certain road in the town of Gilford known as the Mountain road, which is a continuation of the state road from the city of Laconia through Gilford Village to the Winnepesaukee Shore road; provided that the federal government makes a grant for the development of a ski jump on said road and that the construction of said road shall be made by labor provided by federal funds; also provided that the town of Gilford appropriates eight thousand five hundred dollars for the purchase of materials and equipment for said purpose of widening and improving the Mountain road, so-called. It is further provided that if the town of Gilford makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Cummings of Peterborough for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Bill No. 394, An act relating to work relief, reported the same with the following

amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole thereof and inserting in its place the following:

1. All sums expended for work relief by the Director of Poor Relief under the authority of chapter 160, Laws of 1933 prior to October 1, 1934, shall be charged wholly to a fund created under said chapter 160, and no reimbursement shall be required by any county, city or town for such money expended.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Emery of Manchester for the Committee on Banks, to whom was referred Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 440, An act relative to the purchase of supplies by school districts, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Hoyt of Sandwich offered the following amendment:

Amend said report by striking out the words "it is inexpedient to legislate" and inserting in place thereof the words "the bill ought to pass" and with this amendment pending moved that the bill be laid upon the table and made a special order for Tuesday, May 28, at 10:01 o'clock.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

(Discussion ensued)

Mr. Cilley of Exeter moved that the bill be recommitted to the Committee on Education.

On a *viva voce* vote the motion did not prevail.

Mr. McIntire of Manchester asked for a division.

A division being taken 156 members voted in the affirmative and 159 members voted in the negative and the motion did not prevail.

Mr. Leahy of Claremont moved that the bill be indefinitely postponed.

The question being on the resolution.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question but subsequently withdrew his motion.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the bill be indefinitely postponed?

On a *viva voce* vote the motion prevailed.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 436, An act relating to taxation of polls, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 436, An act relating to taxation of polls, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM J. CALLAHAN,  
ALBERT G. PALMER,  
CARL H. ROCHE,  
OVID F. WINSLOW,  
WILLIAM J. BOOTH,  
HENRY F. DAGAN,  
JAMES R. McNEIL,  
STEPHEN J. FORD,  
SPENCER DICKINSON,

*A minority of the Committee.*

Mr. Keefe of Dover moved that the report of the minority

be substituted for the report of the majority and with this motion pending moved that the bill and the accompanying reports be laid upon the table and made a special order for Tuesday, May 28, at 10:01 o'clock.

On a *viva voce* vote the motion prevailed.

Mrs. Mason of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 373, An act in relation to emergency public works, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 4 and inserting in place thereof the following:

4. *Authorization of a Public Works Project and Bonds by a Town.* In any case where the instituting of a public works project and the issuing of bonds therefor shall cause the total debt of the town to be more than the legal debt limit, it shall be necessary for two-thirds of the qualified voters of the town to approve such project and the issuing of such bonds, in a meeting of the town called for the purpose. Nothing in this section shall be construed to prevent action at such meeting upon any other lawful matter, the subject of which has been duly set forth in the warning calling such meeting.

Further amend said bill by striking out all of section 11 and inserting in place thereof the following: 11. *Authorization of Construction of Public Works Project and Issue of Bonds at Municipal Meeting.* Any public works project may be authorized to be constructed and bonds therefor may be authorized to be issued pursuant to the provisions of this act; provided that in any case where the instituting of a public works project and the issuing of bonds therefor shall cause the total debt of the town to be more than the legal debt limit, it shall be necessary for two-thirds of the qualified voters of the town to approve such project and the issuing of such bonds, in a meeting of the town called for the purpose.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary,

to whom was referred House Bill No. 431, An act relating to the administration of the laws relative to weights and measures, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Callahan of Keene moved that the report be amended by striking out the words "it is inexpedient to legislate" and inserting in place thereof the words "the bill ought to pass."

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Cote of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 433, An act abolishing the bureau of criminal investigation, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Callahan of Keene moved that the report be amended by striking out the words "it is inexpedient to legislate" and inserting in place thereof the words "the bill ought to pass."

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 435, An act providing for the establishment of a State conservation commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Callahan of Keene moved that the report be amended by striking out the words "it is inexpedient to legislate" and



inserting in place thereof the words "the bill ought to pass."

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 442, An act relating to business corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perley of Lebanon for the Committee on Judiciary, to whom was referred House Bill No. 401, An act relating to town meetings in the town of Bethlehem, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gotts of Rochester for the Committee on Judiciary, to whom was referred House Bill No. 403, An act to regulate the traffic in intoxicating liquor, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Forfeiture*. Amend chapter 3 of Special Session Laws of 1934 by inserting the following sections after section 29-a of said chapter: 29-b. *Seizure*. Any liquor possessed, kept for sale or transported in violation of the provisions of this chapter or any law of the state of New Hampshire, together with the casks, bottles or other paraphernalia used in such illegal possession, keeping or transportation, shall be subject to seizure either upon a warrant issued upon a complaint against the person charged with violating the law, and containing a command for such seizure, or upon a libel directed against the property, filed in accordance with the provisions of chapter 372 of the

Public Laws, and upon due proceedings may be adjudged forfeited. When any sheriff or deputy sheriff, duly appointed police officer or constable of any city or town, or other duly appointed law enforcement officer, shall discover any person in the act of transporting intoxicating liquor in violation of this chapter or any other law of this state, in any wagon, buggy, automobile, water or air craft, or other vehicle, or any other conveyance, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law. Provided, that no officer shall, without a warrant, cause any automobile or other vehicle traveling upon a public highway in this state to be stopped for the purpose of searching the same for intoxicating liquor unless he has reasonable cause to believe that such automobile or other vehicle is, at the time of said stopping or search, being used for the illegal transportation of intoxicating liquor. Whenever intoxicating liquors being illegally transported shall be seized by an officer he shall take possession of any vehicle, team, automobile, boat, air or water craft, or any other conveyance engaged in such illegal transportation, and shall arrest any person or persons in charge thereof. Such officer shall at once proceed against the person or persons arrested under the provisions hereof in any court having competent jurisdiction, and the said vehicle or conveyance, on due proceedings in accordance with the provisions of chapter 372, may be adjudged forfeited, unless by intervention or otherwise at said hearing, or in some other proceeding brought for the purpose, a bona-fide lien or liens shall be established to have been created without notice that such vehicle was being used or was to be used for the illegal transportation of liquor, whereupon such vehicle may be ordered sold by the court, and the proceeds thereof, after deducting the expenses of keeping and sale, used for the purpose of paying such liens in the order of their priority, and the balance disposed of as hereafter provided in section 29-c; or in case a lien or liens shall be established in excess of the value of such vehicle, the court shall order its surrender to the first lienor upon payment of costs of seizure, but subsequent

lienors shall have the right of redemption in the order of their liens upon satisfaction of prior liens and charges, provided such right is asserted within such time as the court shall fix in its said order of surrender.

29-c. *Forfeiture.* Upon a decree of forfeiture, the liquor, with the casks, bottles, cases or containers, may be adjudged to be destroyed, or they, and any other property which may be seized or forfeited under the provisions of this law or any law now or hereafter in force, may be sold in accordance with the decree of the court. The proceeds of any sale of such property duly forfeited, after deducting the expense of the seizure and proceedings, shall be paid into the treasury of the county wherein the proceedings were determined, for its use.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Bullock of Richmond for the Committee on Judiciary, to whom was referred House Bill No. 430, An act relating to dogs, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Weston of Milford for the Committee on Judiciary, to whom was referred House Bill No. 426, An act relating to railroads and public utilities, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Burgault of Lyman for the Committee on Judiciary, to whom was referred House Bill No. 414, An act relating to the school district of the town of Hampstead, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Leahy of Claremont for the Committee on Judiciary,

to whom was referred Memorial to the Congress of the United States, urging the elimination of the taxation of gasoline by the Federal Government, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twenty-one hundred dollars (\$2100.00) for the year 1935 and the same sum for the year 1936 be and hereby is appropriated for the improvement of the Brownfield road in the town of Eaton, leading from Eaton to Brownfield, Maine, provided that the town of Eaton appropriates the sum of seven hundred dollars (\$700.00) for the said years for the same purpose. It is further provided that if the town of Eaton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the years 1935 and 1936 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and the town shall be expended under the direction of the Highway Commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Neal of Meredith for the Committee on Public Improvements, to whom was referred House Bill No. 441, An



act relative to regulation of highways and the control of traffic by signals or other devices, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by adding at the end of said section the following: "The location of stop signs or other traffic devices or signals on trunk lines and state-aided highways within the compact portion of any city or town shall conform to standards set by the highway commissioner," so that said section as amended shall read as follows:

2. *Powers of City Councils.* Amend chapter 54, section 12 of the Public Laws by adding after paragraph VII the following new paragraph: VII-a. *Special Regulations, Traffic Devices and Signals.* To make special regulations as to the use of vehicles upon particular highways, except as to speed, and to exclude such vehicles altogether from certain ways; to establish stop intersections, erect stop signs or other traffic devices or signals approved as to type and size by the state highway commissioner and to provide for the control of traffic by such signs, devices or signals. The location of stop signs or other traffic devices or signals on trunk lines and state-aided highways within the compact portion of any city or town shall conform to standards set by the highway commissioner.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 56, An act relating to liability of towns, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and substituting therefor the following:

1. *Liability of Towns.* Amend section 1 of chapter 89 of the Public Laws by striking out in line 3 the words "defectively railed" and substituting therefor the words, of which insufficient warning has been given; further amend by striking out the word "railings" and substituting therefor the



words, warning signs or structures, so that said section as amended will read as follows:

1. *When Liable.* Towns are liable for damages happening to any person, his team, carriage or motor vehicle, traveling upon a bridge, culvert or sluiceway, or dangerous embankments of which insufficient warning has been given, upon any highway which the town has the duty of maintaining, by reason of any obstruction, defect, insufficiency or want of repair of such bridge, culvert, sluiceway or embankments and warning signs or structures, which renders it unsuitable for the travel thereon. But any person or corporation, except municipal corporations, through whose negligence or carelessness any obstruction, defect, insufficiency or want of repair is caused upon any highway, shall be liable to any person injured by reason thereof, and the damages may be recovered in an action on the case; provided that this chapter shall not enlarge the common law liability of public officers.

2. *Warning Signs or Structures.* Amend section 2 of said chapter 89 by striking out the whole thereof and substituting therefor the following:

2. *Sufficient Warning.* Sufficient warning of dangerous embankments shall be held to have been given whenever the railing, post or other warning signs or structures conform to the standards prescribed by the State Highway Department and have been approved by the State Highway Department in the manner hereinafter provided.

3. *How Approved.* Amend section 3 of said chapter 89 by inserting after the word "railings" wherever it appears the words, posts or other warning signs or structures, so that said section as amended will read as follows:

3. — *Approval of.* The State highway department shall examine all railings, posts or other warning signs or structures erected by a town upon any highway, upon the written request of such town, and if the same are approved as standard railings, posts or other warning signs or structures a record of such request, of the examination and approval and of the location of such railings, posts or other warning

signs or structures shall be made and kept in the office of said department. A copy of such record shall be filed forthwith in the office of the town clerk of the town in which such railings, posts or other warning signs or structures are located. A copy of such record certified by the State highway commissioner shall be received by all courts as evidence of the sufficiency of such railings, posts or other warning signs or structures for a period of three years after such record has been made.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Emerson of Rochester for the Committee on State Prison, to whom was referred House Joint Resolution No. 148, Joint resolution for a hospital at the State prison, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wylie of Concord for the Committee on Education, to whom was referred House Bill No. 439, An act relating to superintendents of schools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Education, to whom was referred House Bill No. 439, An act relating to superintendents of schools, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

FORREST C. MERCER,  
*A minority of the Committee.*

Mr. Hoyt of Sandwich moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and accompanying report be laid upon the table and made a special order for Tuesday, May 28, at 10:02 o'clock.

(Discussion ensued as to time)

On a *viva voce* vote the motion did not prevail.

The question being on the report of the committee that it is inexpedient to legislate.

(Discussion ensued)

Mrs. Barden of Berlin moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

#### PERSONAL PRIVILEGE

Mr. Keefe of Dover rose to a question of personal privilege and urged that there be full attendance of members at the Thursday morning session.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 437, An act increasing the fees for permits to sell beverages, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being

Shall the bill be read a third time?

On motion of Mr. Kearns of Manchester the bill was laid upon the table and made a special order for Tuesday, May 28, at 10:02 o'clock.

Mr. Davis of Conway for the Committee on Labor, to whom was referred Senate Bill No. 40, An act relating to a minimum wage for women and minors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Labor, to whom was referred Senate Bill No. 40, An act relating to a minimum wage for women and minors, being unable to

agree with the majority, reported the same with the recommendation that the bill ought to pass.

SARA E. GREENFIELD,  
MARGARET H. BARDEN,  
OLIVER H. HEPWORTH,  
HALDIMAND W. NEAL,  
*A minority of the Committee.*

Miss Greenfield of Rochester moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Wilson of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the Chair was in doubt.

Mr. Dodge of Laconia asked for a division.

A division being taken 137 members voted in the affirmative and 136 members voted in the negative and less than two-thirds of the members elected being present and voting and less than two-thirds of those voting having voted in either the affirmative or negative no valid action was taken and the bill went over into unfinished business.

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 448, An act providing for assistance to aged and dependent persons, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 145, An act authorizing the State of New Hampshire to take over a section of road in the town of Bristol for purposes of maintenance.

House Bill No. 353, An act relative to conveyance of land to the State for highway purposes.

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 59, Joint resolution for the improvement of a road in Windham.

House Joint Resolution No. 52, Joint resolution for the construction and permanent improvement of the Province lake road, in the town of Wakefield, leading from Woodman to the State of Maine line at Parsonsfield.

House Joint Resolution No. 61, Joint resolution for the improvement of a road in Washington.

House Joint Resolution No. 64, Joint resolution for the improvement of a road in the town of East Kingston.

House Joint Resolution No. 65, Joint resolution for the improvement of a road in Pelham.

House Joint Resolution No. 67, Joint resolution for the improvement of the Province road in the town of Belmont.

House Joint Resolution No. 68, Joint resolution for the improvement of the Province road in the town of Gilmanton.



House Joint Resolution No. 69, Joint resolution for the upkeep and maintenance of the grounds of the New Hampshire Veterans' Association at the Weirs.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

House Joint Resolution No. 73, Joint resolution for the improvement of a road in the town of Wilton.

House Joint Resolution No. 75, Joint resolution for the improvement and completion of the East Weare road leading from North Weare to East Weare, in the town of Weare.

House Joint Resolution No. 77, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Madison.

House Joint Resolution No. 78, Joint resolution for the improvement of highway leading from Center Ossipee to Conway via Effingham Falls, Freedom and Eaton at Conway.

House Joint Resolution No. 80, Joint resolution for the improvement of Kearsarge mountain road in Wilmot.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House joint resolutions, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road in the town of Deerfield.

Amend said resolution by adding after the word "road" in the sixth line the words, in the town of Deerfield.

Further amend said resolution by adding after the word "years" in the eighth line the words, for the same purpose.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 11, Joint resolution to build a first class State road in Rochester and Somersworth.

Amend the caption of said resolution by striking out the same and inserting in place thereof the following:

Joint resolution for the improvement of the Salmon Falls road, so-called, in the city of Rochester.

Amend said resolution by striking out the first seven lines and inserting in place thereof the following:

That the sum of six thousand dollars (\$6,000) for the year 1936 be and hereby is appropriated for the improvement of the Salmon Falls road, so-called, in the city of Rochester, from the.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

Amend said resolution by adding after the word "years" in the seventh lines the words, for the improvement of the Weare road, so-called, in the town of Dunbarton.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

Amend said resolution by adding after the word "line" in the eighth line the words, in the town of Alton.

Further amend said resolution by adding at the end thereof the following:

Said sums appropriated by the State and by the town shall be expended under the direction of the highway commis-

sioner and the sums appropriated by the State shall be a charge upon the highway funds.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 41, Joint resolution for the completion of the road leading from Milton to Farmington known as the Farmington road.

Amend said resolution by adding after the word "years" in the eighth line the words, for the same purpose.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

Amend said resolution by striking out the last two sentences thereof and inserting in place thereof the following:

The sums hereby appropriated shall be expended under the direction of the commissioner of agriculture, provided that the sum expended for an exhibit at the Eastern States Exposition shall not exceed ten per cent of the sum hereby appropriated and further provided that no part of the appropriation made hereunder shall be expended for any agricultural fair where the total premiums for agricultural exhibits is less than one hundred dollars. The governor with the advice and consent of the council is authorized to draw his warrant for this appropriation out of any money in the treasury not otherwise appropriated.

On motion of Mr. Hoyt of Sandwich the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate has passed

the following entitled bills and joint resolutions in the passage of which it asked the concurrence of the House of Representatives.

Senate Bill No. 53 (in new draft), An act relating to the registration and operation of motor vehicles by non-residents.

Senate Bill No. 66, An act relating to the escheat of estates.

Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

#### SENATE BILLS AND JOINT RESOLUTIONS READ AND REFERRED

Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

The bill was read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 66, An act relating to the escheat of estates.

The bill was read a first and second time and referred to the Committee on the Revision of the Statutes.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge.

The joint resolution was read a first and second time and referred to the Committee on Public Improvements.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

The joint resolution was read a first and second time and referred to the Committee on Public Improvements.

Senate Joint Resolution No. 15, Joint resolution to provide

for the purchase of certain land adjoining the State armory in Berlin.

The joint resolution was read a first and second time and referred to the Committee on Appropriations.

#### RESOLUTION

On motion of Mr. Graf of Manchester:

*Resolved*, That the Speaker of the House be and hereby is directed to obtain from the Honorable Judges of the Supreme Court their opinions upon the following question:

Do the provisions of House Bill No. 405, a copy of which is annexed hereto and made a part of this resolution, violate any of the provisions of our State and Federal constitutions?

On motion of Mr. Perley of Lebanon at 1:05 o'clock the House adjourned.

#### AFTERNOON

The House met at 2 o'clock.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 373, An act in relation to emergency public works.

House Bill No. 394, An act relating to work relief.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 426, An act relating to railroads and public utilities.

House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals or other devices.

House Bill No. 442, An act relating to business corporations.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 156, Joint resolution in favor of the state house department.



Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 56, An act relating to liability of towns.

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

Read a third time.

The question being: Shall the joint resolution pass?

Mr. Mitchell of Campton moved that the joint resolution be put back upon its second reading for purposes of amendment.

On a *viva voce* vote the motion did not prevail.

Mr. Mitchell asked for a division.

A division being taken 56 members voted in the affirmative and 52 members voted in the negative and a quorum of the House not being present at 2:25 o'clock the House was declared adjourned, the bill going over into unfinished business.

---

#### THURSDAY, MAY 23, 1935.

The House met at 10 o'clock.

Prayer was offered by the Rev. Harry E. Little of Barnstead.

#### LEAVE OF ABSENCE

Mr. Gilson of Brookline was granted leave of absence until further notice on account of death in family.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it

then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 372, An act laying out a highway on Kearsarge mountain.

Senate Bill No. 38, An act providing for the acceptance of a gift of land from the New Hampshire-Vermont Lumber company to the State of New Hampshire for the purposes of a State forest reservation and park and the construction of a road to the Canadian border.

House Joint Resolution No. 8, Joint resolution for the improvement of the road leading from Butler's corner, on Deerfield South road to Ladd's corner on the Raymond road, in the town of Deerfield.

House Joint Resolution No. 11, Joint resolution for the improvement of the Salmon Falls road, so-called, in the city of Rochester.

House Joint Resolution No. 33, Joint resolution for the improvement of the Weare road, so-called, in the town of Dunbarton.

House Joint Resolution No. 39, Joint resolution for the completion of the Gilmanton road leading from Alton to Gilmanton, in the town of Alton.

House Joint Resolution No. 41, Joint resolution for the completion of the road leading from Milton to Farmington, known as the Farmington road.

House Joint Resolution No. 60, Joint resolution to promote agricultural fairs.

The report was accepted.

The Committee of Conference, to whom was referred House Bill No. 400, An act providing for the establishment and administration of unemployment compensation, reported the same with the recommendation that the House recede

from its position of non-concurrence, and concur with the amendments sent down by the Honorable Senate.

JOHN J. CONDON,  
ELIOT A. CARTER,

*Conferees on the part of the Senate.*

MICHAEL J. CARROLL,  
WILLIAM J. AHERN,  
B. B. DAVIS,

*Conferees on the part of the House.*

On motion on Mr. Ahern of Concord the House adopted the report of the Committee of Conference.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend by striking out in line 11 the figures, \$4,500.00, and substituting therefor the figures, \$9,000.00.

Further amend by striking out in line 14 the figures, \$86,430.00 and substituting therefor the figures, \$90,930.00.

Further amend by striking out in line 17 the figures, \$6,450.00 and substituting therefor the figures, \$6,650.00.

Further amend by striking out in line 75 the figures, \$885.00 and substituting therefor the figures, \$1,000.00.

Further amend by inserting a new line as follows: 76a. Egg Inspection Service. \$1,000.00.

Further amend by striking out in line 77 the figures, \$2,300.00 and substituting therefor the figures, \$5,000.00.

Further amend by striking out in line 78 the figures, \$650.00 and substituting therefor the figures, \$800.00.

Further amend by striking out in line 83 the figures, \$6,760.00, and substituting therefor the figures, \$7,700.00.

Further amend by striking out in line 85 the figures, \$14,200.00, and substituting therefor the figures, \$64,200.00.

Further amend by striking out in line 87 the figures, \$87,203.00, and substituting therefor the figures, \$142,108.00.

Further amend by striking out in line 138 the figures, \$4,700.00, and substituting therefor the figures, \$4,800.00.

Further amend by striking out in line 139 the figures, \$13,660.00, and substituting therefor the figures, \$14,000.00.

Further amend by striking out in line 140 the figures, \$22,660.00 and substituting therefor the figures, \$23,100.00.

Further amend by striking out in line 281 the figures, \$1,500.00, and substituting therefor the figures, \$4,000.00.

Further amend by striking out in line 287 the figures, \$115,-273.00, and substituting therefor the figures, \$117,730.00.

Further amend by striking out in line 308 the figures, \$71,-675.00, and substituting therefor the figures, \$76,675.00.

Further amend by striking out in line 309 the figures, \$472,000.00 and substituting therefor the figures, \$496,000.00.

Further amend by striking out in line 310 the figures, \$436,000.00 and substituting therefor the figures, \$460,000.00.

Further amend by striking out in line 384 the figures, \$20,-350.00 and substituting therefor the figures, \$22,350.00.

Further amend by striking out in line 385 the figures, \$10,-000.00, and substituting therefor the figures, \$12,000.00.

Further amend by striking out in line 386 the figures, \$38,-350.00, and substituting therefor the figures, \$42,350.00.

Further amend by inserting a new line as follows: 392a. Small Industries. \$5,000.00.

Further amend by striking out in line 394 the figures, \$60,-610.00, and substituting therefor the figures, \$65,610.00.

Further amend by striking out in line 404 the figures, \$1,200.00, and substituting therefor the figures, \$1,250.00.

Further amend by striking out in line 410 the figures, \$10,-360.00, and substituting therefor the figures, \$10,410.00.

Further amend by striking out in line 413 the figures, \$25,-330.00, and substituting therefor the figures, \$27,630.00.

Further amend by striking out in line 420 the figures, \$500.00, and substituting therefor the figures, \$3,300.00.

Further amend by striking out in line 421 the figures, \$500.00, and substituting therefor the figures, \$2,390.00.

Further amend by striking out in line 422 the figures, \$56,-097.00, and substituting therefor the figures, \$63,087.00.

Further amend by striking out in line 439 the figures, \$24,-440.00, and substituting therefor the figures, \$24,400.00.

Further amend by striking out in line 455 the word, any, and substituting therefor the word, said.

The report was accepted.

The reading of the amendments having commenced, Mr. Osborne of Sunapee moved that the further reading be dispensed with.

The question being on the motion of Mr. Osborne.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On a *viva voce* vote the amendments were adopted.

Mrs. Brungot of Berlin offered the following amendment.

Amend said bill by changing the words "sixty-six thousand and sixty dollars;" in lines 450 and 451 to one hundred thirty-two thousand one hundred twenty dollars and change the word "five" in line 451 to the word ten.

The question being on the amendment.

(Discussion ensued)

Mrs. Mason of Berlin moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendments.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

On motion of Mrs. Mason of Berlin the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.



Amend by striking out in line 13 the figures \$2,750.00 and substituting therefor the figures, \$4,500.00.

Further amend by striking out in line 14 the figures \$750.00 and substituting therefor the figures, \$2,250.00.

Further amend by striking out in line 19 the figures \$87,-380.00 and substituting therefor the figures \$90,630.00.

Further amend by striking out in line 79 the figures \$885.00 and substituting therefor the figures \$1,000.00.

Further amend by inserting a new line as follows: 80a. Egg Inspection Service. \$1,000.00.

Further amend by striking out in line 81 the figures \$2,300.00 and substituting therefor the figures \$5,000.00.

Further amend by striking out in line 82 the figures \$650.00 and substituting therefor the figures \$800.00.

Further amend by striking out in line 87 the figures \$6,760.00 and substituting therefor the figures \$7,700.00.

Further amend by striking out in line 89 the figures \$14,-200.00 and substituting therefor the figures \$64,200.00.

Further amend by striking out in line 91 the figures \$84,-203.00 and substituting therefor the figures \$139,108.00.

Further amend by striking out in line 143 the figures \$4,700.00 and substituting therefor the figures \$4,800.00.

Further amend by striking out in line 144 the figures \$12,-260.00 and substituting therefor the figures \$12,600.00.

Further amend by striking out in line 145 the figures \$21,-260.00 and substituting therefor the figures \$21,700.00.

Further amend by striking out in line 257 the figures \$21,-000.00 and substituting therefor the figures \$210,000.00.

Further amend by striking out in line 261 the figures \$17,-500.00 and substituting therefor the figures \$175,000.00.

Further amend by striking out in line 285 the figures \$1,500.00 and substituting therefor the figures \$4,000.00.

Further amend by striking out in line 291 the figures \$115,-273.00 and substituting therefor the figures \$117,773.00.

Further amend by striking out in line 313 the figures \$472,-000.00 and substituting therefor the figures \$496,000.00.

Further amend by striking out in line 314 the figures \$436,-000.00 and substituting therefor the figures \$460,000.00.

Further amend by striking out in line 325 the figures \$444,-189.00 and substituting therefor the figures \$443,389.00.

Further amend by striking out in line 398 the figures \$20,-350.00 and substituting therefor the figures \$22,350.00.

Further amend by striking out in line 399 the figures \$10,-000.00 and substituting therefor the figures \$12,000.00.

Further amend by striking out in line 400 the figures \$38,-350.00 and substituting therefor the figures \$42,350.00.

Further amend by inserting a new line as follows: 406a. Small Industries. \$5,000.00.

Further amend by striking out in line 408 the figures \$52,-610.00 and substituting therefor the figures \$57,610.00.

Further amend by striking out in line 418 the figures \$1,200.00 and substituting therefor the figures \$1,250.00.

Further amend by striking out in line 424 the figures \$10,265.00 and substituting therefor the figures \$10,315.00.

Further amend by striking out in line 428 the figures \$25,030.00 and substituting therefor the figures \$27,630.00.

Further amend by striking out in line 435 the figures \$500.00 and substituting therefor the figures \$3,300.00.

Further amend by striking out in line 436 the figures \$500.00 and substituting therefor the figures \$2,390.00.

Further amend by striking out in line 437 the figures \$55,992.00 and substituting therefor the figures \$63,282.00.

Further amend by striking out in line 454 the figures \$24,000.00 and substituting therefor the figures \$24,400.00.

Further amend by striking out in line 455 the figures \$34,600.00 and substituting therefor the figures \$35,000.00.

Further amend by striking out in line 473 the word, any, and substituting therefor the word, said.

The report was accepted.

The reading of the amendments having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

On a *viva voce* vote the amendments were adopted.

Mr. Stevenson of Exeter offered the following amendment.

Amend by striking out in lines 466 and 467 the words "sixty-six thousand and sixty dollars;" and inserting in place

thereof the words one hundred thirty-two thousand one hundred twenty dollars; and by striking out in line 467 the word "five" and substituting the word ten.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 220, An act relating to diseases of domestic animals, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Appleton of Dublin for the Committee on Forestry, to whom was referred House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 449, An act to promote rural electrification, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 450, An act relative to the improvement of Rye harbor, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Wilson of Manchester for the department of welfare

and relief, division of relief, presented the following report:  
House of Representatives,

Concord, New Hampshire.

In accordance with the resolution adopted by the House of Representatives on May 21, 1935, I herewith transmit a list of the personnel employed by the Division of Relief under the provisions of Chapter 20 of the Laws of 1935, together with the salaries paid to each and the duties which each is supposed to perform.

Henry T. Turner, Director of Relief, with duties as set forth in said act, \$4,000 per annum; Harry O. Page, Assistant to the Director of Relief, whose duties are to render general assistance to the Director and in particular to have charge of the statistical work of the Division, \$3,000 per annum; Helen M. Young, Chief Clerk of the Division of Relief, \$1,400 per annum; Rachel Gelinas, Stenographer, \$750 per annum; Margaret Healy, Stenographer, \$750 per annum; Michael O'Malley, Field Agent, \$1,600 per annum; Arthur Barrows, Field Agent, \$1,600 per annum; Nathan Sibley, Field Agent, \$1,600 per annum; David R. Smith, Field Agent, \$1,600 per annum; E. V. Cartledge, Field Agent, \$1,600 per annum; Peter Agrafiotis, Field Agent, \$1,600 per annum; Harlan Harris, Field Agent, \$1,600 per annum; Eli J. King, Field Agent, \$1,600 per annum; Robert Peckett, Jr., Field Agent, \$1,600 per annum; Edwin S. Ross, Field Agent, \$1,600 per annum.

The duties of the Field Agents are to interpret and aid in carrying out the rules and regulations of the State Board of Welfare and Relief; to investigate complaints made to the Director; to investigate and adjust differences between town and county relating to settlement; supervision of administration set-up in local communities; to aid local administrators of relief in the keeping of proper records and in making reports to the Director and requisitions for reimbursement; to assist local administrators to get employables certified for any federal work program that may be available; and in general, to represent the director in the local communities and carry out the provisions of said chapter 20.



Under the authority of the Governor and Council, Anna Salner is now employed as a temporary stenographer at a salary of \$15 per week; and Oscar L. Cyr is now employed at a salary of \$25 per week for the purpose of taking an inventory of the property turned over to the State Board of Welfare and Relief under section 22 of said chapter 20. His employment will terminate soon.

With reference to the request to transmit a detailed statement of the sums paid out under the authority of said chapter 20 to individuals and communities for relief, I beg to report that neither the State Board of Welfare and Relief or the State pays any money to individuals for relief. Reimbursement is made to the local communities for sums paid out by them.

The law provides that grants and reimbursements out of state funds in the emergency relief fund shall be made to counties, cities and towns to the extent of fifty per cent of the amount expended by them for direct relief, provided that any county, city or town requesting reimbursement has fully discharged its indebtedness to the state incurred by any provision of chapter 160 of the laws of 1933.

Subsequent to the passage of chapter 20 of the laws of 1935, the legislature passed an act providing for reimbursement on account of funds expended by local communities for direct relief from and after January 1, 1935. But reimbursements are to be made only after an audit under the direction of the Comptroller. After the passage of said chapter 20, audits were begun and are now in progress. Reimbursements have been made to certain towns where the audit for a particular month has been made and such reimbursements are now being made daily.

The actual amounts so reimbursed are available at any moment in the Comptroller's office, and the figures can be furnished at any time, but would not give any accurate picture of general relief expenditures at any time as many communities because of present indebtedness to the state under the provisions of chapter 160 of the laws of 1933 have not yet received reimbursement.



For your information, I would report that the Comptroller has completed the audit for all the counties, cities and towns in the state for the month of January, 1935, and subject to minor corrections and adjustments, the full relief load for that month appears to have been \$275,752.13, of which the local communities will be reimbursed to the extent of 50 per cent when the requirements of the law have been complied with.

I should be very glad to furnish any further information that may be required.

Respectfully submitted,

HENRY T. TURNER,

*Director of Relief.*

The report was accepted.

Mr. Wilson of Manchester for the department of Welfare and Relief, Division of Welfare, presented the following report:

House of Representatives,

State House,

Concord, New Hampshire.

*Gentlemen:*

To comply with the resolution passed by the House of Representatives on Tuesday, May 21, 1935, I, as Director of Welfare of the State Board of Welfare and Relief, submit a list of employees together with the salaries which they receive and the approximate duties they perform.

Jay H. Corliss, Director, \$2,750; Mary T. Gannon, Chief Clerk, \$1,500; Pauline Hebert, stenographer and bookkeeper for the blind, \$825; Mary L. Hart, stenographer for Child Welfare, \$825; Hazel Philbrick, stenographer for Mothers' Aid, T.B. and Director, \$825; Louise Lee, stenographer for cancer, sightsaving, crippled children and bills and office correspondence, \$825; Genevieve Flynn, stenographer for Children's Boarding Homes, \$1,050; Mrs. Eva Reed, Social Work Investigator for Child Welfare in Hillsboro, Rockingham and Coos counties, \$1,800; Miss Charlotte Macdonald, Social Work Investigator for Child Welfare in Grafton, Belknap and Carroll counties, \$1,800; Miss Emeline Web-

ster, Social Work Investigator for Child Welfare in Cheshire, Sullivan, Merrimack and Strafford counties, \$1,600; Miss Louise Sexton, Investigator state-wide for sightsaving, cancer, T.B. and crippled children; deaf pupils and inspector of institutions, \$1,500; Mrs. Mary Murphy, Social Work Investigator and Visiting Agent for Mothers' Aid state-wide, \$1,500; Miss Lena Uehlein, Investigator and Visitor for Children's Licensed Boarding Homes state-wide, \$1,500; James T. Riddervold (blind), Investigator and Visitor for Blind, state-wide, \$1,500; Richard Bailey, Assistant to Mr. Riddervold, state-wide, \$950; Miss Charlotte Newing, Home Teacher for the blind, state-wide, \$1,250.

The scale of wages does not include the 10 per cent cut which has been in effect since July 1, 1933.

The above personnel have had no changes whatever because of legislation passed during this present session. It is exactly the same as when in the employ of the State Board of Public Welfare which went out of existence on March 13th.

Should more definite details be wished, I would be only too glad to furnish them on request.

Very truly yours,

JAY H. CORLISS,

*Director.*

The report was accepted.

Inasmuch as both reports would be printed in the Journal on motion of Mr. Stevenson of Exeter the reading of the reports was dispensed with.

Miss Bailey of Newport for the Committee on Education, to whom was referred House Bill No. 382 (in new draft), An act relating to teachers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Education, to whom was referred House Bill No. 382 (in new draft), An act relating to teachers, being unable to agree with the majority, reported the same with the following amendments,

and the recommendation that the bill as amended ought to pass.

Amend the part of section 2 of the bill numbered 11-a by striking out the word "shall" in the ninth line and inserting in place thereof the words, if it find just cause may; further amend said 11-a by striking out the words "shall be dismissed" in the thirteenth and fourteenth lines and inserting in place thereof the words, may be dismissed or such other action may be taken as the school board may decide is just and which is not contrary to the provisions of this act, so that said 11-a shall read as follows:

11-a. *Hearing.* After being continuously employed in the same school district for three years the tenure of office of any teacher, principal or headmaster shall be for the period of his good behavior and efficiency. Such tenure shall only be terminated, except by resignation, for inefficiency, incapacity, conduct unbecoming to a teacher, or for other just cause, and written notice of such charges, signed by the person bringing them, shall be filed with the school board of the district in which such teacher, principal or headmaster is employed. Upon receipt of such notice the school board if it find just cause may set a time and place for a hearing and give reasonable notice thereof to the person so charged. At said hearing said person may be represented by counsel. The said board shall examine into the matter of the charges and if said charges are, in its opinion, sustained, said teacher, principal or headmaster may be dismissed or such other action may be taken as the school board may decide is just and which is not contrary to the provisions of this act.

Further amend said section 2 of the bill by striking out all of that part of said section numbered 11-b, and by renumbering 11-c to read 11-b, 11-d to read 11-c, 11-e to read 11-d and 11-f to read 11-e.

Further amend said section 2 of the bill by striking out the word "proportionately" being the last word in the paragraph 11-e, renumbered as above 11-d, so that said 11-d as amended shall read as follows:

11-d. *Reduction in Compensation.* After the termina-

tion of three years' continuous service in one school district the compensation of any teacher, principal or headmaster shall not be reduced save as part of a general economy measure affecting all teachers in the district.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5. *Amendment.* Amend section 27 of said chapter 117 by striking out said section and inserting in place thereof the following: 27. *Supervision; Removal of Employees; Suspension of Teachers.* Superintendents shall direct and supervise the work of teachers and for cause may remove any employee of the district, except teachers, principals or headmasters. If, in the opinion of a superintendent, it shall be necessary for the welfare of a school, he may suspend any teacher teaching therein and this suspension shall take immediate effect, provided that the superintendent shall at once file with the school board of the district a written charge against the teacher so suspended and the case shall then be considered by the school board in accordance with the provisions of section 11-a, and further provided that the suspension of said teacher shall only last until the school board shall have handed down its decision in accordance therewith.

JOHN G. CLANCY,  
N. J. PIPER,  
NORMA T. ORDWAY,  
WENDELL M. McINTIRE,  
CRAIG WYLIE,  
FLORENCE WARD HOYT,  
CARL D. ROCHE,  
FORREST C. MERCER,

*A minority of the Committee.*

Mrs. Ordway of Berlin moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion did not prevail.

Mr. McIntire of Manchester asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Van Vliet of Manchester asked for a division.

A division being taken the vote was declared to be manifestly in the affirmative and the resolution was adopted.

#### RECALLED FROM GOVERNOR

Mr. Davis of Conway moved that His Excellency the Governor be requested to return to the House of Representatives for further consideration House Bill No. 206, An act relating to State, county, and municipal contracts.

On a *viva voce* vote the motion prevailed.

Mr. Brouillette of Manchester moved that the action of the House whereby it voted to concur in the amendments sent down from the Honorable Senate be reconsidered.

On a *viva voce* vote the motion prevailed.

The question being

Shall the House concur in the amendments sent down from the Honorable Senate?

On a *viva voce* vote the negative prevailed.

On motion of Mr. Brouillette of Manchester a Committee of Conference was asked for.

The Speaker appointed as members of such committee on the part of the House Messrs. Brouillette of Manchester, Ahern of Concord, and Callahan of Keene.

#### NOTICE OF RECONSIDERATION

Mr. Wylie of Concord gave notice that on tomorrow or some subsequent day he would move to reconsider the vote whereby the House adopted the resolution reported by the



Committee on Education that it is inexpedient to legislate on House Bill No. 382, An act relating to teachers.

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 80, An act to amend the charter of the city of Portsmouth.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 83, An act relating to Cornish toll bridge.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 395, An act relating to municipal courts.

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in the town of Boscawen.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

Amend section 4 of the bill by striking out all after the word "track" in the fifth line and substituting therefor the following: from Hubbard depot on the Warner Hill road across country to the Beattie farm, so-called, on the Derry Dock road, to the Derry village district, so that said section as amended will read as follows:

4. *Boundaries.* Subject to section 2, the boundaries of the precinct to be hereby established are as follows: That section of Derry bounded by the Derry village fire district; the Chester road, so-called, the town lines each of Chester, Sandown and Hampstead, the railroad track commonly called the Nashua & Rochester Railroad track from Hubbard depot on the Warner Hill road across country to the Beattie farm, so-called, on the Derry Dock road, to the Derry village district.

On motion of Mr. Adams of Londonderry the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Keefe of Dover the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled joint resolution, House Joint Resolution No. 158, Joint resolution in favor of the town of Milan, with the recommendation that the joint resolution be referred to the Committee on Claims.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Claims.

On motion of Mr. Callahan of Keene business in order at 2 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 220, An act relating to diseases of domestic animals.

House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Ahern of Concord at 12:28 o'clock the House adjourned.

---

FRIDAY, MAY 24, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 24, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House  
adjourned.

---

MONDAY, MAY 27, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 27, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House  
adjourned.

---

TUESDAY, MAY 28, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

LEAVES OF ABSENCE

Miss Bailey of Newport and Mr. Dahl of Berlin were  
granted leave of absence for the week on account of im-  
portant business.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 83, An act relating to Cornish toll bridge.

House Bill No. 219, An act relating to lines of telegraph and other companies in highways.

House Bill No. 333, An act relating to the powers and duties of the police commissioners of the city of Portsmouth.

House Bill No. 395, An act relating to municipal courts.

Senate Bill No. 14, An act relating to mortuary regulations.

House Joint Resolution No. 82, Joint resolution for the improvement of a road in Madbury.

House Joint Resolution No. 83, Joint resolution for the improvement of a road in the town of Francestown.

House Joint Resolution No. 85, Joint resolution for the completion of a road in Peterborough.

House Joint Resolution No. 87, Joint resolution for the completion of a road in Unity.

House Joint Resolution No. 90, Joint resolution for the improvement of a road in Tamworth.

House Joint Resolution No. 104, Joint resolution for the improvement of a road in Dummer.

House Joint Resolution No. 105, Joint resolution for the improvement of the Water Village road in the town of Ossipee.

House Joint Resolution No. 106, Joint resolution for the improvement of a road in the town of Walpole.

House Joint Resolution No. 107, Joint resolution providing for the improvement of a road in Boscawen.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

House Bill No. 394, An act relating to work relief.

The report was accepted.



## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its amendments to the following joint resolution:

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills and joint resolutions, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Maintenance.* State of New Hampshire is hereby authorized and required to take over the maintenance of that portion of the so-called Sugar Load road bordering on Newfound lake in the town of Alexandria, said section of road being approximately two miles in length. The expense of the maintenance of said road shall be a charge upon the highway funds.

On motion of Mr. Neal of Meredith the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

Amend said resolution by adding after the word, "year," in the 13th line the figures and words, "1935 and".

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

Amend said resolution by adding after the figures, "1931", in the 11th line the words and figures, "and section 4, chapter 17, Laws of 1935."

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

Amend said resolution by adding at the end thereof the following:

The sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner and the sums appropriated by the State shall be a charge upon the highway funds.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

Amend said resolution by striking out the next to the last sentence of said resolution and inserting in place thereof the following:

The construction hereby authorized is to begin where the previous improvement of said road ended December, 1934, and shall continue toward the Gilmanton line.

On motion of Mr. Neal of Meredith the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 251, An act relative to the payment of wages.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Weekly Payment of Wages.* Amend section 28 of chapter 176 of the Public Laws as amended by chapter 69 of the Laws of 1935, approved May 6, 1935, by striking out said section and inserting in place thereof the following:

28. *Penalty.* Whoever willfully violates any of the provisions of this subdivision shall be fined not less than ten nor more than fifty dollars or imprisoned for not more than two months, for each offense, provided that a prosecution therefor is begun within six months after the offense is committed, but not otherwise. Any officer or agent of a corporation responsible for the violation of any of the provisions of this subdivision shall be subject to the penalty herein prescribed in addition to the penalty incurred by the corporation.

2. *Evasions.* Amend chapter 176 of the Public Laws by adding to the subdivision relative to payment of wages the following new section:

28-a. —. No person shall by a special contract with an employee or by any other means exempt himself from the provisions of this subdivision. There shall be no defense for failure to pay as required hereunder unless there shall have been an attachment of such wages by trustee process, or a valid assignment thereof, or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him. If the person charged with violation of the provisions of this subdivision is an officer of an association or corpora-

tion his liability to the penalty prescribed hereunder shall not be altered by the fact that the employee may be a stockholder of said association or corporation.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Pillsbury of Derry the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 274, An act authorizing the laying out of a State highway in the city of Rochester.

Amend said bill by striking out the title and inserting in place thereof the following:

An act relative to a State-aided highway in the city of Rochester.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Highway Designated.* That part of the highway known as route number eleven leading from Rochester village proper to East Rochester village over and along that part of Eastern avenue leading from the dwelling of Ira G. Studdley in an easterly direction to Walnut street in the city of Rochester is hereby designated as a class II State-aided highway.

On motion of Mr. Neal of Meredith the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 336, An act relating to public employment of veterans.

Amend section 1 of the bill by inserting after the word "State" in line 9, on the basis of need, and secondly to those; so that said section as amended will read:

1. In public employment of clerks, office help, mechanics, teachers, teamsters, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the con-

struction of public works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall first be given to citizens of the state on the basis of need, and secondly to those who have served in the Army, Navy and/or Marine Corps of the United States in time of war, and have been honorably discharged therefrom or released from active duty therein, and who are qualified to perform the work to which the employment relates.

Amend section 2 of the bill by striking out all after the word "towns" in line 3 and substituting therefor, as hereinbefore provided; so that said section as amended will read:

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said veterans in said services of their respective cities and towns, as hereinbefore provided.

On motion of Mr. Appleton of Dublin the House voted to non-concur in the amendments sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Appleton of Dublin, Estabrook of Alstead and Foss of East Kingston.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels.

The bill was read a first and second time and referred to the Committee on Liquor Laws.

On motion of Mr. Wilson of Manchester the rules were suspended to allow for the presentation of a report from a



committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department and legislative expense, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted, the joint resolution read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

#### SPECIAL ORDER

Mr. Keefe of Dover called for the special order House Bill No. 436, An act relating to taxation of polls.

The question being.

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass.

(Discussion ensued)

Mr. Ahern of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

On a *viva voce* vote the Chair was in doubt.

Mr. Keefe of Dover asked for a division.

A division being taken 188 members voted in the affirmative and 159 members voted in the negative and the motion to substitute prevailed.

Mr. Lee of Concord demanded the yeas and nays and the roll was called with the following result.

#### YEAS, 192

ROCKINGHAM COUNTY: Dagan, Fitts, Fogg, Abbott of Derry, Hepworth, Thayer, Cilley, Carlton, Brackett, Lyford,

Turcotte of Newmarket, Mudge, Barrett, Dondero, Kittredge, Tucker, Yeaton of Portsmouth, McNeil, Harmon, Abbott of Portsmouth, Eliot of Raymond, Manor, Floyd.

STRAFFORD COUNTY: Locke of Barrington, Keenan, Pomerleau, Chabot, Durkin, Howard of Dover, Garland, Hall of Dover, Keefe, McDonough of Dover, Durnin, Gelinas of Farmington, LeFavour, Tanner, Gotts, Cartier, Bergeron, Dickinson, Tighe, Lagueux, Boucher, Robinson of Somersworth.

CARROLL COUNTY: Lyman, Clow.

BELKNAP COUNTY: Guay, Alfred L., of Laconia, Carroll, Stafford, Cantin, Neal of Meredith, Smart.

MERRIMACK COUNTY: Courtemanche, Morgan, Danforth of Bradford, Matott, Robinson of Concord, Kemp, Ahern, Donovan, Carignan, Lemire, Bean of Franklin, Dempsey, Lafond, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Sanborn, Howard of Wilmot.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Charois, Craine, Smith of Hudson, Gage, McIntire, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Betley, Clancy of Manchester, Ward 5, Creighton, O'Brien, Sweeney of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Connelly, Jordan, Sullivan of Manchester, Cote, Farrell, Gagnon, Peloquin, Turcotte of Manchester, Bolton, Gelinas of Manchester, Holleran, McDonough of Manchester, Moran of Manchester, Richard, Driscoll, Hayes, Levallee, Gallagher, Gaudreault, Getz, McLaughlin, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Desruisseaux, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Barnes, Wadleigh, Woods, Winslow, Woodbury, Francoeur, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Dugan, Charbonneau, Dion, Maynard, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Bouthillier, Desmarais, Thompson of New Ipswich, Mercer, Peaslee of Weare.

CHESHIRE COUNTY: Clark, Callahan, Hetherman, Keating, Roche, Bullock, Graves, Kiniry.

SULLIVAN COUNTY: Chandler of Claremont, Etsler, Hosking, Leahy, Stetson, Thomas, Gaffney, Johnson, Cummings of Newport, Downing, Cram.

GRAFTON COUNTY: Goodwin of Bethlehem, Bowles, Jones of Lebanon, McNamara, Legassie, Burgault.

COOS COUNTY: Bagley, Barden, Mason, Smith of Berlin, Henderson of Berlin, Palmer, Sullivan of Berlin, Martel, Bixby, Dugas, Myler, Willis, Hancock, Marshall, Judd, Fuller of Stratford.

NAYS, 163

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Pillsbury, Russell of Exeter, Stevenson, Little of Hampstead, Perkins of Hampton, Adams of Londonderry, Pickering, Estabrook of Newton, Marston of North Hampton, Peaslee of Plaistow, Allen, Marston of Rye, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Neal of Dover, Henderson of Durham, Elliott of Madbury, Emerson of Rochester, Seavey, Elson.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Hunt, Dodge, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Gordon, Plastridge, Wallis.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Russell of Conway, Thompson of Effingham, Gale, Banfield, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Shaw, Coakley, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Tilton, Brunel, Freeman of Concord, Maxham, Wylie, Lee, Buffum, Demers, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Colburn, Shepard, Vancore, Connor, Cloues.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Locke of Deering, Chandler of Francestown, Avery, Matheson, Sym, Crowell, Boynton, Wilson of Hollis, Reid of Litchfield, Emery, Knowlton, Wilson of Manchester, Barnard, Graf, Maker, Howison, Weston, Danforth of Nashua, Baker, Jones of Pelham, Cummings of Peterborough, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering,

Appleton, Firmin, Hanson, Hammond, Perry of Jaffrey, Jones of Keene, Gates, Spaulding, Wardwell, Wiswall, Rice, Granger, Perry of Swanzey, Randall, Britton, Horner.

SULLIVAN COUNTY: Hutchins, Quimby, Cutting, Reney, Barton, Read of Plainfield, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Remick, Mitchell, Graham, Hardy, Sawyer of Franconia, Williams, Guyer, Hunter, Putnam of Hanover, Keyser, Scruggs, Marden, Hathorn, Hoyt of Lebanon, Millen, Perley, Bishop, Parker, Astle, Lewis, Simpson of Littleton, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bell, Lombard, Ramsay, Gray, Whitcomb, Stiles, Chandler of Gorham, Morris, Thompson of Lancaster, Cole, Fuller of Stewartstown, Whiteher.

#### PAIRS

Mrs. Brungot of Berlin voting yes paired with Mr. Sturtevant of Concord voting no.

Mr. Healy of Manchester, Ward 5, voting yes paired with Mr. Dahl of Berlin voting no.

And the motion to substitute prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Smart of Tilton called for the special order House Bill No. 437, An act increasing the fees for permits to sell beverages.

The question being.

Shall the bill be read a third time?

Mr. Smart of Tilton offered the following amendments.

Amend bill by adding after section 1 a new section 2 to read as follows:

2. Beverages may be sold by restaurants on Sundays, not before the hour of 2:00 o'clock in the afternoon and not later than 8:00 o'clock in the evening.

Further amend by adding a new section to be numbered 3 to read as follows:

3. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

Further amend by renumbering section 2 as section 4.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Smart of Tilton asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

Mr. Bagley of Berlin offered the following amendments.

Amend said bill by adding after section 1 a new section 2 to read as follows:

2. Restaurants may sell beverages with meals, on Sundays, during hours prescribed by the Liquor Commission.

Further amend by adding a new section 3 to read as follows:

3. All acts and parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

Further amend by renumbering section 2, section 4.

The question being on the amendment.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Jones of Lebanon offered the following amendment.

Amend section 1 by striking out the words "one dollar" in lines 5 and 6 and substituting therefor the words, two dollars, so that said section as amended shall read as follows:

1. *Fees Increased.* Amend chapter 99 of the Laws of 1933 by adding after section 21 the following new section: 21 a. In addition to the fees provided for in section 21 the following additional fees shall be required for permits issued: For each off-sale or on-sale permit two dollars for every barrel of beverages containing not more than thirty-one gallons or the equivalent thereof sold by the permittee



and to be paid on or before the tenth day of each month to the commission for beverages sold by the permittee during the preceding calendar month. Each holder of an on-sale or off-sale permit, at the time of filing the report required by section 25 and paying the part of the permit fee which shall be due at time of filing said report as provided in section 21 shall also pay that part of the permit fee which shall be due at the time as provided in this section.

The question being on the amendment.

(Discussion ensued)

Mr. McIntire of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the negative appeared to prevail.

Mr. Talty of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Jones of Lebanon asked for a division.

A division being taken 156 members voted in the affirmative and 143 members voted in the negative and the amendment was adopted.

The question being.

Shall the bill be read a third time?

(Discussion ensued)

Mr. Nash of Concord moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being.

Shall the bill be read a third time?

On a *viva voce* vote the the bill was ordered to a third reading.

Mr. Lavigne of Nashua demanded the yeas and nays but subsequently withdrew his demand.

On motion of Mr. Keefe of Dover the rules were suspended and the bill read a third time by its title.

The question being.

Shall the bill pass?

Mr. Lavigne of Nashua demanded the yeas and nays and the roll was called with the following result.

YEAS, 216

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Fitts, Fogg, Hepworth, Pillsbury, Cilley, Russell of Exeter, Stevenson, Carlton, Little of Hampstead, Perkins of Hampton, Lyford, Adams of Londonderry, Turcotte of Newmarket, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Dondero, Allen, Pray, Tucker, Yeaton of Portsmouth, Harmon, Manor, Adams of Seabrook, Floyd, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Keenan, Chabot, Howard of Dover, Garland, Neal of Dover, Hall of Dover, Keefe, Henderson of Durham, Elliott of Madbury, Gotts, Bergeron, Dickinson, Seavey, Tighe, Elson.

BELKNAP COUNTY: Little of Barnstead, Piper of Belmont, Hunt, Carroll, Hoyt of Laconia, Merrill of Laconia, Simpson of Laconia, Gordon, Neal of Meredith, Plastridge, Wallis.

CARROLL COUNTY: Simpson of Bartlett, Davis, Russell of Conway, Gale, Lyman, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Munroe, Reardon, Morgan, Shaw, Coakley, Robinson of Concord, Kemp, Blood, Boutwell, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Brunel, Maxham, Wylie, Lee, Ahern, Buffum, Piper of Franklin, Peaslee of Henniker, Stobie, Ball, Merrill of Loudon, Shepard, Vancore, Perkins of Pittsfield, Sanderson, Sanborn, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Gilson, Locke of Deering, Chandler of Frances-town, Avery, Matheson, Sym, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Emery, Knowlton, Barnard, Gage, Graf, McIntire, Gaudreault, Maker, Howison, Wadleigh, Weston, Woods, Winslow, Woodbury, Danforth of Nashua,

Thompson of New Ipswich, Jones of Pelham, Cummings of Peterborough, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Firmin, Hanson, Clark, Hammond, Perry of Jaffrey, Callahan, Hetherman, Keating, Jones of Keene, Gates, Spaulding, Wardwell, Roche, Wiswall, Bullock, Rice, Granger, Perry of Swanzev, Randall, Graves, Kiniry, Britton, Horner.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Daly, Etsler, Quimby, Johnson, Cutting, Reney, Barton, Cummings of Newport, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Remick, Graham, Bowles, Hardy, Sawyer of Franconia, Williams, Guyer, Putnam of Hanover, Keyser, Scruggs, Marden, Hathorn, Hoyt of Lebanon, Jones of Lebanon, McNamara, Millen, Perley, Bishop, Parker, Astle, Lewis, Simpson of Littleton, Burgault, Grant, Lufkin, McLean, Merrill of Plymouth, Cook.

COOS COUNTY: Brungot, Lombard, Ramsay, Gray, Whitcomb, Stiles, Willis, Morris, Hancock, Cole, Marshall, Fuller of Stewartstown, Fuller of Stratford, Whitcher.

#### NAYS, 117

ROCKINGHAM COUNTY: Dagan, Thayer, Brackett, Barrett, Kittredge, McNeil, Eliot of Raymond.

STRAFFORD COUNTY: Pomerleau, McDonough of Dover, Durnin, Gelinas of Farmington, Lefavour, Tanner, Emerson of Rochester, Cartier, Lagueux, Boucher, Robinson of Somersworth.

BELKNAP COUNTY: Dodge, Guay, Stafford, Cantin, Smart.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Courtemanche, Danforth of Bradford, Matott, Donovan, Demers, Lemire, Bean of Franklin, Dempsey, Lafond, Turgeon, Warren.

HILLSBOROUGH COUNTY: Charois, Dwyer, O'Reilly, Talty, Tobin, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Betley, Clancy of Manchester, Ward 5, Creighton, O'Brien, Sweeney of Manchester, Ward 5, Booth,

Clancy of Manchester, Ward 6, Connelly, Jordan, Sullivan of Manchester, Cote, Gagnon, Peloquin, Turcotte of Manchester, Bolton, Gelinass of Manchester, Holleran, McDonough of Manchester, Moran of Manchester, Driscoll, Hayes, Levallee, Gallagher, Getz, McLaughlin, Roukey, Sweeney of Manchester, Ward 11, Van Vliet, Aubin, Soucy, Brouillette, Daniel of Manchester, Ward 13, Lambert, Lariviere, Barnes, Francoeur, Bernard, Boilard, Letendre of Nashua, Barry of Nashua, Charbonneau, Dion, Maynard, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Bouthillier, Desmarais, Mercer.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: Leahy, Thomas, Downing, Cram.

GRAFTON COUNTY: Mitchell, Averill.

COOS COUNTY: Bagley, Barden, Bell, Mason, Smith of Berlin, Henderson of Berlin, Palmer, Sullivan of Berlin, Martel, Bixby, Dugas, Myler, Chandler of Gorham, Judd.

Dugan of Nashua, voting no, paired with Freeman of Concord, voting yes.

And the bill passed and was sent to the Senate for concurrence.

Mr. Keefe of Dover moved that the vote whereby the bill passed be reconsidered.

On a *viva voce* vote the motion did not prevail.

#### UNFINISHED BUSINESS

Mr. Mitchell of Campton called for the unfinished business House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

The question being.

Shall the joint resolution be put back upon its second reading?

On a *viva voce* vote the negative prevailed.

The question being.

Shall the joint resolution pass?

On a *viva voce* vote the joint resolution passed and was sent to the Senate for concurrence.

Mr. Heald of Wilton offered the following resolution:

*Resolved*, That this House having learned with sorrow of the death of Stanley H. Abbot of Wilton, a former member of the House of Representatives, that the Speaker appoint a committee of three to prepare suitable resolutions upon the sad event.

The Speaker appointed as members of such committee Messrs. Heald of Wilton, Wadleigh of Milford and Mrs. Charois of Greenville.

Mr. Ahern of Concord called for the unfinished business House Bill No. 113, An act relating to weight of motor vehicles.

The question being.

Shall the bill be indefinitely postponed?

Mr. Hoyt of Sandwich asked for a division, but subsequently withdrew his request.

On motion of Mr. Ahern of Concord the bill was laid upon the table and made a special order for Wednesday, May 29, at 10:01 o'clock.

On motion of Mr. Keefe of Dover business in order at 2 o'clock was made in order at the present time.

On motion of the same member it was voted that when the House adjourns this morning it be to meet tomorrow morning at 10 o'clock.

On motion of the same member at 1:15 o'clock the House adjourned.

---

WEDNESDAY, MAY 29, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### IN CONVENTION

The two branches being in convention the following message from His Excellency the Governor was delivered by the Honorable Secretary of State.

It has taken many years for the people of our State to come to an appreciation of the unparalleled recreational ad-



vantages of our National and State Parks and Forests. We have been unduly backward in advertising to the world the greatest of our natural resources. It is only in recent years that our efforts in this direction have been organized and the results already give promise of affording the salvation for our merchants, farmers, hotels and small communities.

House Bill No. 131 authorizes the construction of an aerial tramway on Cannon mountain in the region of the Franconia notch. More than two million visitors pass this spot annually. Few of these have any conception of the magnificent panorama of the mountain ranges and valleys, forests and lakes that the mountain top unfolds. Many others who long to obtain such a view are denied the experience by reason of physical handicaps and limited time available to them. We should be ready to make it possible for them to fully enjoy their visit to us in order that they will come again and bring their friends and neighbors.

The proposed passenger tramway is new to this country. The advertising value alone of such a project might warrant its construction if it were to be financed with State funds and without prospect of repayment. The proposed projects will not, however, cost the State anything in exchange for the advantages to be realized. The construction cost will be borne from Federal grants and a loan from the Federal government without obligation on the part of the State, to be repaid solely from revenue derived from the tramway. Reliable estimates of the cost indicate that the yearly revenue would not only suffice to meet maintenance charges and fully repay the construction cost over a ten-year period, but would in addition yield a handsome profit to the State as well. Similarly constructed yet more expensive tramways in European countries have for years been operated at a profit, although located in areas enjoying but a fraction of the tourist traffic of the proposed site. Were it possible for private capital to obtain the needed consent of the Federal and State governments for the erection of this tramway, it would have been constructed long before this time.

I would urge, therefore, that you give this bill your earnest consideration.

H. STYLES BRIDGES,  
*Governor.*

The convention then arose.

#### LEAVES OF ABSENCE

Messrs. Brunel and Saltmarsh of Concord were granted leave of absence for the day on account of important business.

#### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved.* That when the House adjourns to-day it be to meet on Friday morning at 9 o'clock and that when it then adjourns it adjourn to meet Monday evening at 7:30 o'clock.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 15, An act authorizing the State of New Hampshire to take over a section of road in the town of Alexandria for the purpose of maintenance.

House Bill No. 251, An act relating to the payment of wages.

House Bill No. 274, An act relative to a State-aided highway in the city of Rochester.

House Bill No. 400, An act providing for the establishment and administration of unemployment compensation.

House Joint Resolution No. 23, Joint resolution for the improvement of a road in Chester.

House Joint Resolution No. 44, Joint resolution for the improvement of the main or stage road, so-called, from Northwood line to Lee line in the town of Nottingham.

House Joint Resolution No. 51, Joint resolution for the completion of the road from Sunapee to Newbury.

House Joint Resolution No. 74, Joint resolution for improvement of the Province road in Barnstead.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in line 1 the words and figures "three thousand dollars (\$3,000)" and inserting in place thereof the words and figures, two thousand dollars (\$2,000), so that said joint resolution as amended will read as follows:

That the sum of two thousand dollars (\$2,000) be allowed and paid to Georgiana Nugent for her care and support and that of her minor children. This appropriation is in full payment for the death of George Nugent, who died October 25, 1934, as a result of an accident which occurred on a state aid highway in the town of Dalton. Said sum shall be a charge upon the highway fund.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropria-

tions, to whom was referred House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following: That the sum of one thousand and fourteen dollars (\$1014) be and hereby is appropriated to reimburse the town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state-aid road in Holderness June 22, 1933.. Said sum shall be a charge upon the highway fund.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Dion of Nashua for the Committee on Appropriations, to whom was referred House Joint Resolution No. 92, Joint resolution in favor of Bernard Merrick of East Kingston, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 53 (in new draft), An act relating to the registration and operation of motor vehicles by non-residents, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being: Shall the bill be read a third time?

(Discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all after the enacting clause and inserting in its place the following:



1. For the purpose of constructing an aerial tramway on Cannon mountain in the Franconia notch and for the further purpose of maintaining and operating the same together with the necessary appurtenances thereof after construction, there is hereby created an agency of the state composed of a commission of five members, not more than three of whom shall be of the same political party, to be known as the New Hampshire Aerial Tramway Commission, hereinafter called the commission, composed of the comptroller ex-officio and four members to be appointed by the governor with the advice and consent of the council. The term of office of all members shall be for one year, two years, three years and four years as the governor and council shall determine and until the successor is appointed and qualified. The members of the commission shall serve without compensation except that they shall be reimbursed for their actual expenses while engaged in the business of the commission. The majority of the commission shall constitute a quorum.

2. *Powers.* The commission shall have all the powers necessary and proper to locate, construct and operate the aerial tramway aforesaid and specifically, without limiting the generality of the foregoing, the commission shall have power to contract with the United States, the State of New Hampshire, other states and public bodies and private corporations and individuals, to accept grants from the federal government or any agency thereof, to adopt by-laws for the regulation and conduct of its business, a seal and to keep records, to construct, control and operate an aerial tramway, to determine the charges and fares for the use thereof, to employ assistants, agents and servants necessary to the proper conduct of its business and to fix their compensation subject to approval by the governor and council, to adopt rules and regulations governing the use of the said tramway by the public, to borrow money and give the necessary security for the repayment thereof, to lease real estate and hold the title thereto. The commission shall be liable to suit in its own name as a separate entity provided, however, that individual commissioners shall be personally liable only for



wilful misconduct. It shall have power to institute and prosecute in its own name suits at law or in equity or special proceedings in any courts. All property of the commission shall be held in the name of the state, it shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same. No judgment against the commission shall be a charge or a lien upon its property or the property held in the name of the state pursuant to the provisions hereof.

3. *Bonds Authorized.* The commission is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying the cost of such aerial tramway and the location and equipment thereof. The bonds of the commission shall not constitute a debt of the state or of any agency or political sub-division thereof, except the commission. Any provision of any law to the contrary notwithstanding any bonds issued pursuant to this act shall be fully negotiable. In case any of the commissioners whose signatures appear on the bonds or coupons shall cease to be such commissioners before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if such commissioners had remained in office until such delivery. The commission may in the resolution authorizing respective issues provide as to such bonds; (1) the manner of executing the bonds and coupons; (2) the form and denomination thereof; (3) maturity dates, not more than fifty years from the date or dates of issue; (4) the interest rates thereon; (5) For redemption prior to maturity and the premium payable therefor; (6) the place or places for the payment of interest and principal; (7) For registration if the commission deems such to be desirable; (8) For the pledging of all or any of the revenues as security for payment; (9) For the replacement of lost, destroyed, or mutilated bonds; (10) The setting aside of reserves and sinking funds and the regulation and disposition thereof; (11) For limitations on the issuance of additional bonds; (12) For the procedure, if any, by which the contract with the bondholders may be abrogated or amended; (13) For the man-

ner of sale and price thereof; (14) For covenants against pledging any of the revenues of the projects; (15) For covenants fixing and establishing such prices, rates and charges for carriage and other services made available in connection with such tramway, so as to provide at all times, funds which will be sufficient (a) to pay all cost of operation and maintenance of such tramway, together with necessary repairs thereto, (b) to meet and pay the principal and interest of all such bonds as they severally become due and payable and (c) for the creating of such revenues for principal and interest of all such bonds and for the meeting of contingencies and the operation and maintenance of such tramway, as the commission shall determine; (16) For such other covenants as to such prices, rates and charges as the commission shall determine; (17) For covenants as to the rights, liabilities, powers and duties arising upon the breach by the commission of any covenant, condition or obligation; (18) For covenants as to the bonds to be issued and as to the issuance of said bonds in escrow or otherwise and as to the use and disposition of the proceeds thereof; (19) For covenants as to the use of its property, the maintenance and replacement thereof, the insurance to be carried thereon and the use and disposition of insurance money; (20) For limitations upon the exercise of the powers conferred upon the commission by this act; (21) For the issuance of such bonds in series thereof and, (22) The performance by the commission of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the commission as will tend to make the bonds more marketable, notwithstanding that such acts or things may not be enumerated therein.

4. *Remedies of Bondholders.* In the event that the commission shall make default in the payment of principal or interest on any of the bonds after the same shall fall due and such default shall continue for a period of sixty days, or shall default in any agreement with the bondholders, the holders of twenty-five per cent in aggregate principal amount of the bonds then outstanding by instrument filed

in the office of the secretary of state duly acknowledged, may appoint a trustee to represent the bondholders for the purposes herein provided. Such trustee may, and upon the written request of the holders of twenty-five percent in principal amount of the bonds then outstanding, shall (1) by mandamus or other suit action of proceeding at law or in equity enforce the rights of the bondholders, (2) bring suit upon the bonds, (3) enjoin any acts or other things which may be unlawful or in violation of the rights of the bondholders, (4) by notice in writing to the commission declare all bonds due and payable, and if all defaults shall be made good, to annul such declaration and its consequences, (5) by action or suit in equity, requiring the commission to account as if it were trustee of an express trust for the stockholders. Such trustee shall be entitled as of right to the appointment of a receiver who may to the extent that the commission could itself do, enter and take possession of the facilities of the commission or any part thereof, the revenues or receipts from which are or may be applicable to the payment of the bonds so in default, and operate and maintain the same and collect and receive all revenues thereafter arising therefrom in the same manner as the commission might do, and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit, action or proceeding by the trustee, the fees, counsel fees and expenses of the trustee and receiver, if any, and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived by the commission, the revenues and receipts from which are or may be applicable to the payment of the bonds so in default. Said trustee shall in addition to the foregoing have and possess all the powers necessary and appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights.

In addition to other rights and remedies, any bondholder shall have the right by mandamus or other suit, action or proceeding in law or in equity to enforce his rights against

the commission, including the right to require the commission to carry out any agreement or covenant and to perform its duties under this act.

5. *Net Revenues.* Subject to any agreement with bondholders, all revenue received from the operation of said tramway after deducting the expenses of operation and maintenance, the expenses of the commission, and the sums necessary to provide for the payment of the principal and the interest on the bonds of the commission in accordance with the provisions hereof shall be paid to the state treasurer for the use of the state.

6. *Interim Certificates.* Prior to the issuance of the bonds hereunder the commission may issue interim certificates in such manner and with such conditions as the commission may determine to be exchanged for such bonds when issued.

7. *Federal Permit.* No sum shall be expended by the commission unless and until the commission shall have received on behalf of the state a license or permit satisfactory to the commission from the United States Government to construct, operate and maintain said tramway and its appurtenances on and over the necessary land in the White Mountain National Forest. Said license shall be for a period of not less than twenty (20) years and shall be without any charge, obligation or control by said United States Government except as herein provided for. The commission shall have authority to seek an extension or renewal of such license or permit.

8. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The reading of the amendment having commenced Mr. Hunter of Hanover moved that the further reading be dispensed with.

The question being on the motion of Mr. Hunter.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. McDonough of Dover demanded the yeas and nays



but subsequently withdrew his demand and asked for a division.

A division being taken 254 members voted in the affirmative and 15 members voted in the negative.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. McDonough of Dover desired to be recorded as having voted against the amendment.

On motion of Mr. Stevenson of Exeter the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Keefe of Dover for the Committee on Judiciary to whom was referred Senate Bill No. 65, An act relating to the closing of highway crossings, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill as already amended, by striking out the word "and/" after the words "railroad corporation", so that said section as further amended shall read as follows: 4. *Damages*. Any landowner, or the legal representative of the same, entitled to damages by reason of the closing of any private crossing may file a petition with the commission for the assessment of the same within thirty days from the date of such order, and not otherwise. The commission shall set a date and place of hearing, shall give notice to the parties that may be affected and shall hear and determine the issues raised. Damages, if any, shall be assessed against the railroad corporation or the other interested parties in such proportion as said commission shall order.

The report was accepted, the amendment adopted and bill ordered to a third reading.

Mr. Molloy of Nashua for the Committee on Judiciary, to whom was referred Senate Bill No. 67, An act relating to the operation of motor vehicles, reported the same with the recommendation that the bill ought to pass.



The report was accepted and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Brouillette of Manchester for the Committee on Labor, to whom was referred House Bill No. 176, An act relating to workmen's compensation law, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by adding a new section as follows:

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 191, An act regarding hours of labor, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. Amend section 14 of chapter 176 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 14. *Female; Minors.* No female, or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor at any employment, except household labor and nursing, private domestic service, hotel service and farm labor more than ten hours in any one day or more than forty-eight hours in any one week.

Amend by adding a new section as follows:

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Mitchell of Campton for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out in line one the words "twenty thousand" and inserting in place thereof the words: sixteen thousand six hundred sixty-seven and by striking out in line three the words "five thousand" and inserting in place thereof the words: eight thousand three hundred thirty-three; so that said resolution as amended shall read as follows:

That the sum of sixteen thousand six hundred sixty-seven dollars for the year 1935 be and hereby are appropriated on condition that the town of North Hampton appropriates eight thousand three hundred thirty-three dollars for the improvement of the main or post road, so-called, leading from U. S. Route 1 at Hampton in the town of North Hampton to Little Bay bridge, if the town of North Hampton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid under the provisions of section 21, chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931, for the year 1935. Said sums appropriated by the state and town shall be expended under the direction of the highway commissioner and the sums ap-

propriated by the state shall be a charge upon the highway funds.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hall of Dover for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand five hundred dollars (\$2,500.00) for the year 1935 be and hereby is appropriated for the completion of the Barrington Depot road, from Barrington Depot to Rochester, provided that the town of Barrington appropriates the sum of one thousand two hundred fifty dollars (\$1,250.00) for the said year and the same purpose. It is further provided that if the town of Barrington makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws as amended by chapter 7 of the Laws of 1931 and section 4, chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the state and the town shall be expended under the direction of the highway commissioner and the sum appropriated by the state shall be a charge upon the highway funds.

The reading of the amendment having commenced, on motion of Mr. Neal of Meredith the further reading was dispensed with.

On a *viva voce* vote the amendment was adopted.

The joint resolution was then referred to the Committee on Appropriations under the rules.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 451, An act

relating to the State board of health, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mrs. Morris of Lancaster for the Committee on Judiciary, to whom was referred Senate Bill No. 11, An act relating to the settlement of paupers, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred Senate Bill No. 11, An act relating to the settlement of paupers, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM WESTON,

ALLAN M. WILSON,

*A minority of the Committee.*

Mr. Weston of Milford moved that the report of the minority be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, June 4, at 10:01 o'clock.

Mr. Vancore of Northfield for the Committee on Judiciary, to whom was referred House Bill No. 178, An act constituting a State police force, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 7 and inserting in place thereof the following: 7. *Qualifications.* No applicant shall be appointed to the police force until he has passed a rigorous physical and mental examination, nor unless he is a citizen of the United States, of good moral character, and between the ages of twenty-one and forty-five years. All such appointments shall be made upon a merit basis. Provided, however, that any person who has



been in the employ of the Motor Vehicle Department as inspector or in the Attorney-General's Department as inspector, or investigator, at any time during the twelve months preceding the passage of this act, shall be eligible for appointment to the state police force, regardless of age limitation; and provided, further, that preference shall be given in appointment to veterans of any war in which the United States has been engaged, and who have received honorable discharge, if otherwise qualified.

Further amend said bill by striking out all of section 11 and inserting in place thereof the following: 11. *Purposes.* The state police department is established for the purpose of affording adequate patrol of the state highways and for the purpose of assisting in the enforcement of state laws, the preservation of the peace, prevention and detection of crime; and in this connection it shall maintain a central bureau of criminal records and identification, and a state detective bureau. Such information shall be available to all police officers within the state, under such regulations as the superintendent may prescribe.

Further amend said bill by striking out all of section 13 and inserting in place thereof the following: 13. *Powers; Duties.* The various members of the state police force shall be assigned, as occasion may require, to the patrol of the various highways of the state to insure adequate enforcement of the motor vehicle laws. They shall have the power to make arrests without warrant, for the violation of the law which they may witness, and to serve and execute warrants issued by state or local authorities. They shall have the powers and prerogatives conferred by law upon members of the police force of cities and upon constables of towns. They may arrest, without warrant and on view, in any part of the state, a person found violating any law, take such person before a magistrate having jurisdiction for trial, and detain such person in custody at the expense of the state until opportunity is given to notify a prosecuting officer, if necessary, who shall forthwith prosecute such offender. It shall be the duty of the department of state police, when called



upon by any department of the state government, to aid in the enforcement of any law applicable or pertaining to such department, and, whenever possible, to cooperate with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the state; provided that the state police force shall not be used or called upon for service in any industrial dispute unless actual violence has occurred therein, and then with written order of the governor.

Further amend said bill by adding at the end of the word "police," in line 9, section 18, of the printed bill, the words "his deputy and officers," so that said section as amended shall read as follows: 18. *Saving Clause.* The transfer of the enforcement of the motor vehicle penal laws to the state police department shall not operate to repeal any substantive laws relating to motor vehicles, but shall operate to vacate the offices of such officers appointed by the commissioner of motor vehicles as may on June 30, 1935, have authority under the commissioner last mentioned to detect, apprehend and prosecute offenders against such penal laws. The superintendent of state police, his deputy and officers, from and after July 1, 1935, shall have and execute all the powers now or in the meantime vested in the motor vehicle commissioner so far as they relate to the detection and apprehension and prosecution of offenders against the motor vehicle laws.

The report was accepted.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 178, An act constituting a state police force, being unable to agree with the majority, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

F. CLYDE KEEFE,  
ELISABETH H. MASON,  
J. B. PERLEY,  
JOHN J. O'REILLY, JR.,  
ANTHONY BURGAULT,

*A minority of the Committee.*

Mr. Callahan of Keene moved that the report of the minor-

ity be substituted for the report of the majority and with this motion pending moved that the bill and reports be laid upon the table and made a special order for Tuesday, June 4, at 10:02 o'clock.

Mr. Graf of Manchester for the special committee consisting of Judiciary and Appropriations Committees, to whom was referred House Bill No. 447, An act to establish the New Hampshire water resources board, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Declaration of Need.* It is hereby declared that there is a State-wide need for the conservation and distribution of water and that the public interest, welfare and necessity require the construction of projects for the conservation, development, storage, distribution and utilization of water, and the corporation created hereunder shall be regarded as performing a governmental function in carrying out the provisions of this act.

2. *Definitions.* As used in this act, the following words and terms shall have the following meanings:

i. The word "Corporation" shall mean the New Hampshire water resources board hereinafter created.

ii. The word "board" shall mean the board of directors of said corporation.

iii. The word "project" shall be deemed to include all property, rights, easements and franchises relating thereto and deemed necessary or convenient for its operation, and shall embrace all means of conserving and distributing water, including without limiting the generality of the foregoing, reservoirs, dams, diversion and distributing canals, lateral ditches, pumping units, mains, pipe lines and water works systems.

iv. The words "cost of project" shall embrace the cost of construction, the cost of all lands, property, rights, easements, and franchises acquired, which are deemed necessary for such construction, the cost of all machinery and equip-

ment, financing charges, interest prior to and during construction, cost of engineering and legal expense, plans, specifications, surveys, estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, the proportionate administrative expense properly allocable to such project as determined by the board, together with such other expenses as may be necessary or incident to the financing herein authorized and the construction of the project and the placing of the same in operation.

3. *Corporation Created.* A public corporation is hereby created as an agency of the State, under the name and title of New Hampshire water resources board, with power to engage in projects, financed as herein set forth; and without limiting the generality of the foregoing the board is authorized:

(1) To investigate and ascertain the facilities for storing surplus water and conserving, controlling and distributing the same;

(2) To acquire, hold and dispose of personal property for its corporate purposes;

(3) To acquire in the name of the State by purchase, condemnation, lease or otherwise, real property and rights and easements therein, deemed by it necessary or desirable for its corporate purposes, and to use such property;

(4) To sell and dispose of property no longer needed, in the judgment of the board, for the purposes of this act;

(5) To construct, reconstruct, maintain and operate projects;

(6) To charge and collect fees and tolls for water, the use of water, water storage, or other services rendered by it, subject to and in accordance with such agreements with bondholders and with water users as may be made, as hereinafter provided;

(7) Except as otherwise provided in any agreement with bondholders to pay into the State treasury the surplus revenues from projects over and above the amount necessary to pay the costs of maintenance, upkeep, repair and opera-

tion of projects and to discharge its obligations as they fall due.

(8) To exercise any of its powers (a) in any adjoining state, unless the exercising of such power is not permitted under the laws of such state or the United States of America, or (b) in any public domain of the United States adjoining or located in the State of New Hampshire, unless such power is not permitted under the laws of the United States of America;

(9) To borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the corporation, and to secure the payment of such obligations or any part thereof by pledge of all or any part of its revenue, and

(10) To do all things necessary or incidental to the foregoing powers.

4. *Management.* The management of said corporation shall be vested in a board of five directors to be appointed by the Governor, with the advice and consent of the council, one of whom shall be designated as chairman. Not more than three of such members shall be of the same political party. The members shall hold office for five years, except that the original appointments shall be for one, two, three, four and five years respectively, and each shall hold office until his successor shall have been appointed and qualified. All the members except the chairman shall serve without salary, but they may receive such compensation for attending meetings as may be fixed by the governor and council, with reasonable expenses incurred in the performance of their duties. The chairman shall receive a salary to be fixed by the governor and council.

5. *General Powers.* Said corporation shall have the general powers usually possessed by New Hampshire corporations, and the power to make contracts with the United States or any state thereof, or with any public corporations or bodies existing therein and to accept grants from the United States or any agency thereof. The corporation shall have power to accept cooperation from the United



States or any agency thereof in the construction, maintenance, operation and financing of any project and the corporation shall have power to do any and all things necessary in order to avail itself of such aid and cooperation. The corporation may cooperate with any adjoining state or states, or agencies thereof, in the planning, construction, maintaining, operating or financing of any project or projects located partly within this state. The board shall adopt and may from time to time amend by-laws governing their procedure and adopt a corporate seal, and shall cause records of their procedure to be kept by a secretary to be appointed by them. They shall appoint such agents, engineers and employees as they shall consider proper and fix their compensation, subject to the approval of the governor and council. To the extent that it may be necessary to carry out the provisions of this act, the corporation shall have power to use and control all public waters of the State and all waters to which the state is entitled by reason of water rights owned by it. The corporation shall be liable to suit in the same manner as a private corporation and shall have the power to institute and prosecute, in its own name or in the name of the State, suits at law or in equity or special proceedings in any courts of this or any other state or in any federal courts, including without limiting the generality of the foregoing suits in order to enable it to acquire, own and hold in the name of the state, title to land and rights of way for projects, water rights, flowage rights and other rights deemed necessary therefor, and in order to prevent the injurious diversion of waters which naturally flow from other states into New Hampshire. All property of the corporation and all property held in the name of the state pursuant to the provisions hereof shall be exempt from levy and sale by virtue of an execution and no execution or other such judicial process shall issue against the same. No judgment against the corporation shall be a lien upon its property or the property held in the name of the State pursuant to the provisions hereof.

6. *Project Reports.* Said board shall from time to time



report in writing to the governor and council the results of any investigations made by them including a detailed description and plans of any project or projects which in their judgment fulfill the purposes of this act and are expedient to construct, and a detailed estimate of the total cost thereof and of the revenues to be derived from the same. The governor and council shall upon receipt of such report examine the same and enter upon their records their decision whether the project or projects covered by such report are within the authority of section 3, and thereupon they are authorized by written order to direct said board to proceed with the construction of any project as to which their decision is in the affirmative.

7. *Contracts.* Upon receipt of the written order specified in Section 6, said board shall proceed to make contracts in the name of the corporation with such persons or corporations as would be benefited by such project, including users of water in and outside the state for power or other purposes, covering the terms under which such persons or corporations shall pay for such benefits. No such contract shall extend for more than fifty (50) years from the completion of the project. The compensation for the use of stored water or other benefits created by the projects shall be made equitable as between different users.

8. *Acquisition of Property.* For the purpose of constructing any project within its authority under the provisions of this act, said corporation may acquire such real estate or other property, water rights, flowage rights and other rights hereinafter collectively referred to as real estate as may be needed, by purchase if available at prices believed by it to be reasonable, otherwise by condemnation thereof for the use of the State in the manner hereinafter provided, namely:

(a) Said corporation shall in such cases cause a survey or location of the real estate proposed to be taken to be prepared in duplicate, one copy of which shall be filed with the Secretary of State and the other with the clerk of the superior court in the county in which all or any portion of such

real estate is located and shall petition said court to appoint commissioners to assess the damages to the owners. Such petition shall state the name and residence so far as known to said corporation of all persons claiming ownership of or interest in the real estate proposed to be taken.

(b) The superior court, upon the filing of any such petition, shall order notice thereof to be given to all persons claiming ownership of or interest in such real estate to appear and present their claims at a time and place to be stated in the notice, by publication in a newspaper published in the town or city in which the real estate is situated, if any, otherwise in a newspaper published within the county; and an attested copy of such notice shall be given in hand to, left at the usual place of residence or business of, or sent by registered mail to the last known address of all claimants whose names appear in the application, fourteen days at least before the said date of hearing. The superior court shall hear the claims of all persons who shall appear and shall determine all questions of title, and, in case more than one person shall be found to have an interest in such real estate, shall determine the several interests of each and enter a decree accordingly; and such decree shall be final except upon questions of law and as herein provided.

(c) Upon final determination of any or all of said questions of title the court shall appoint a commission of three persons to assess damages. Said commissioners, upon reasonable notice to all persons found by the court to have an interest in the property and after hearing, shall assess the damages and make return of such assessment to the court.

(d) Any claimant or the corporation, if dissatisfied with said decree as to title or such assessment of damages shall be entitled to a trial by jury, by filing in the office of the clerk of said court a petition for that purpose within thirty days after the filing of such decree or the return of such assessment. In trying any question of damages before said commissioners or by jury, the appraisal for taxation of such real estate, and in cases where less than the whole interest in real estate is sought to be acquired, the appraisal for taxa-

tion of such whole interest, by the selectmen or tax assessors for the tax year in which such application shall have been filed, and for as many preceding years as the commissioners of the court may consider relevant, shall be competent as evidence of value. The damages as finally determined shall be awarded to the owner or apportioned among the several owners in accordance with their several interests as finally determined and a decree shall be entered accordingly.

(e) All such petitions shall be prosecuted to final judgment on behalf of the corporation by the attorney general or such other person as may be designated by the Governor and Council.

(f) Upon the filing of any such petition in the superior court, said corporation shall be entitled to enter into possession of such real estate and title thereof shall be vested in the state after final decree and payment of damages as above provided. For purposes of surveying and other investigation, said corporation shall be entitled to enter upon any real estate, doing no unnecessary damage, and the owner thereof shall be entitled to recover any damage sustained by him by reason of any entry authorized by this section by action at law brought against said corporation. All real estate acquired under the provisions of this act shall be held in the name of the state. Forthwith upon the acquisition by the corporation in the name of the state, through purchase, condemnation, or otherwise of any real estate property or interest or easement therein, or of any water rights, such property or rights shall, without further action, and by virtue of this act, be and become dedicated to the use and purposes of the corporation.

9. *Changing Locations.* Whenever it shall become necessary for the purposes of this act for such corporation to flow water upon or otherwise prevent or interfere with the use of any highway, bridge or other property or facilities in public use and it cannot agree with the selectmen or other public officials having authority with reference thereto upon the terms and conditions for changing the location or grade of such highway or bridge or for changing the location of such

other property or facilities, such corporation is hereby empowered to apply to the superior court, in the county where such highway, bridge or other property or facilities or any part thereof are located, to appoint commissioners to determine the terms and conditions for changing the location of any such other property or facilities and the amount of damages, if any, which should be paid to any person, firm, corporation, organization or municipality on account of or resulting from such change. Upon filing such petition proceedings shall be had as directed, so far as applicable, in the preceding section; and the commissioners appointed by the court shall after notice and hearing determine the terms and conditions for changing the location or grade of such highway or bridge or for changing the location of such other property or facilities and shall assess the damages sustained by any person, firm, corporation, organization or municipality whose interests are adversely affected thereby and shall make return of their findings and assessment of damages to the court. The same right of appeal shall exist as provided in the preceding section. After final decree the corporation shall be entitled to proceed as therein provided after payment of damages as may be awarded by the court.

10. *Unlawful Use of Stored Water; Penalty.* As used in this act, the term "stored water" is hereby defined as water released from storage provided under the terms of this act in excess of the amount which would naturally flow at the time of such release if storage facilities had not been so provided and maintained. It shall be unlawful for any person not entitled thereto under a contract as provided in this act to use for power or other purposes any stored waters released from any reservoir constructed under the provisions of this act, and any person, firm or corporation not so entitled, who shall use for power or other purposes any stored water released from any reservoir constructed under the provisions of this act, shall upon conviction thereof be fined not exceeding five hundred dollars and each and every day of such use shall be a separate offense. The superior



court sitting in equity shall have jurisdiction to enjoin the unlawful use of stored water and it shall be the duty of the attorney general to prosecute proceedings for the enforcement of the provisions of this act.

11. *Water Regulating Committees.* Said board shall appoint a committee or committees of such number as it may determine to regulate and direct the release of stored water from each reservoir at such times and in such quantities as shall be most beneficial to water users benefited by such stored water and not inconsistent with the public use and benefit; provided that such regulation of use by such committees shall be subject to the provisions of any agreement of the corporation with water users or bond holders. At least a majority of such committee shall be such water users or officers or employees of such users. The members of such committee shall continue as such during the pleasure of the board, which shall promptly make new appointments whenever a vacancy occurs from any cause.

12. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each city or town in which property or rights acquired by the corporation are situated, of such sums as would have been assessed against said property and rights in such city or town if the same had been included in the tax invoice for such year at the tax valuation of the same on April 1, 1935.

13. *Bonds Authorized.* The board is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying the cost or portion thereof of any one or more of such projects. Except as provided in section 17 the bonds of the corporation shall not constitute a debt of the state or of any agency or political sub-division thereof, except the corporation. Any provision of any law to the contrary notwithstanding any bonds issued pursuant to this act shall be fully negotiable.

In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the



delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The board may in the resolution authorizing respective issues provide as to such bonds: (1) The manner of executing the bonds and coupons; (2) The form and denomination thereof; (3) Maturity dates, not more than fifty years from the date or dates of issue; (4) The interest rates thereon; (5) For redemption prior to maturity and the premium payable therefor; (6) The place or places for the payment of interest and principal; (7) For registration if the Board deems such to be desirable; (8) For the pledging of all or any of the revenues as security for payment; (9) For the replacement of lost, destroyed, or mutilated bonds; (10) The setting aside of reserves and sinking funds and the regulation and disposition thereof; (11) For limitations on the issuance of additional bonds; (12) For the procedure, if any, by which the contract with the bondholders may be abrogated or amended; (13) For the manner of sale and price thereof; (14) For covenants against pledging any of the revenues of the projects in priority to such bonds; (15) For covenants fixing and establishing such prices, rates and charges for water and other services made available in connection with such project, so as to provide at all times, funds which will be sufficient (a) to pay all costs of operation and maintenance of such project, together with necessary repairs thereto, (b) to meet and pay the principal and interest of all such bonds as they severally become due and payable and (c) for the creating of such revenues for principal and interest of all such bonds and for the meeting of contingencies and the operation and maintenance of such projects, as the board shall determine; (16) For such other covenants as to such prices, rates and charges as the board shall determine; (17) For covenants as to the rights, liabilities, powers and duties arising upon the breach by the board of any covenant, condition or obligation; (18) For covenants as to the bonds to be issued and as to the issuance of said bonds in escrow or otherwise and as to the use and disposition of the proceeds

thereof; (19) For covenants as to the use of its property, the maintenance and replacement thereof, the insurance to be carried thereon and the use and disposition of insurance money; (20) For limitations upon the exercise of the powers conferred upon the board by this act; (21) For the issuance of such bonds in series and for the respective priority of bond issues or series thereof, and (22) the performance by the corporation of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the board as will tend to make the bonds more marketable, notwithstanding that such acts or things may not be enumerated therein.

14. *Interim Receipts.* Pending the preparation of the definitive bonds, interim receipts may be issued to the purchaser or purchasers of such bonds, and may contain such terms as the board may determine.

15. *Remedies of Bondholders.* In the event that the corporation shall make default in the payment of principal or of interest on any of the bonds after the same shall fall due and such default shall continue for a period of sixty days, or shall default in any agreement with the bondholders, the holders of twenty-five percent in aggregate principal amount of the bonds then outstanding by instrument filed in the office of the secretary of state duly acknowledged, may appoint a trustee to represent the bondholders for the purposes herein provided. Such trustee may, and upon the written request of the holders of twenty-five percent in principal amount of the bonds then outstanding, shall (1) by mandamus or other suit action or proceeding at law or in equity enforce the rights of the bondholders, (2) bring suit upon the bonds, (3) enjoin any acts or other things which may be unlawful or in violation of the rights of the bondholders, (4) by notice in writing to the board declare all bonds due and payable, and if all defaults shall be made good, to annul such declaration and its consequences, (5) by action or suit in equity, requiring the corporation and the board to account as if it and they were trustees of an express trust for the bondholders.

Such trustee shall be entitled as of right to the appointment of a receiver who may to the extent that the corporation could itself do, enter and take possession of the facilities of the corporation or any part thereof, the revenues or receipts from which are or may be applicable to the payment of the bonds so in default, and operate and maintain the same and collect and receive all revenues thereafter arising therefrom in the same manner as the corporation might do, and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit, action or proceeding by the trustee, the fees, counsel fees and expenses of the trustee and receiver, if any, and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived by the corporation, the revenues and receipts from which are or may be applicable to the payment of the bonds so in default. Said trustee shall in addition to the foregoing have and possess all the powers necessary and appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights.

In addition to other rights and remedies, any bondholder shall have the right by mandamus or other suit, action or proceeding in law or in equity to enforce his rights against the corporation, including the right to require the corporation to carry out any agreement or covenant and to perform its duties under this act.

16. *Assets Pass to State.* In the event that the corporation shall be dissolved, all of its assets remaining after all of its obligations and liabilities have been satisfied or discharged shall pass to and become the property of the state.

17. *Bonds Guaranteed.* The Governor with the advice and consent of the Council is hereby authorized in the name of the State to guarantee in such manner as they may determine, the payment of principal and interest of any bonds to be issued by the corporation hereunder, whether or not the same are secured by a first, junior or other lien upon revenues from projects, provided that the aggregate principal

amount of bonds which may be so guaranteed shall not be in excess of \$900,000. The full faith and credit of the state shall be pledged to the performance of such guarantee by the state. In the event that the corporation shall default in payment of interest or principal upon any of the bonds so guaranteed by the state the governor with the advice and consent of the council may draw his warrant upon the treasury out of any money not otherwise appropriated for the payment of such interest or principal and the sums so paid shall be recoverable from the corporation.

18. *Appropriation.* There is hereby appropriated the sum of \$100,000 or so much thereof as may be necessary to provide funds for the corporation to defray the cost or portion thereof of projects herein authorized.

19. *State Bonds Authorized.* The treasurer is hereby authorized to borrow upon the faith and credit of the State an amount not exceeding \$100,000 to provide the funds herein appropriated, and for that purpose may issue bonds and notes at such times, in such denominations, executed in such manner and with such rates of interest, dates of maturity, and other provisions as the governor and council shall determine. The proceeds from the sale of such notes and bonds shall be held by the treasurer and paid out by him upon warrant drawn by the governor with the advice and consent of the council for the purposes set forth in Section 18 hereof, the treasurer taking such obligations or evidences of indebtedness of the corporation in exchange therefor as the governor and council shall approve.

20. *Short Term Notes.* Prior to the issuance of the bonds provided in section 19 hereof, the treasurer, under the direction of the governor and council, may for said purposes borrow money from time to time on short term loans to be refunded by the issuance of the bonds.

21. *Interstate Compacts.* The governor, with the advice and consent of the council, is hereby authorized and empowered in the name and on behalf of the State of New Hampshire to enter into agreements or compacts with any one or more of the other states commonly known as the New



England States as they may deem for the best interests of this state and the inhabitants thereof for the purpose of promoting health, welfare, and public safety by conserving and regulating the flow and diversion, lessing flood damage and removing or preventing sources of pollution of the waters of any rivers or streams whose drainage basins or any portion thereof lie within this state and by agreeing with such states as to their respective rights in the waters of such rivers or streams; provided the consent of the Congress of the United States has been or shall be given to the making of such agreements or compacts.

22. *Constitutionality.* The governor and council are authorized to submit to the supreme court the questions as to the constitutionality of any provision of this act, and in case any provision hereof shall be declared unconstitutional the remaining provisions hereof shall not by reason thereof be invalid, and in such case the governor and council are authorized to cause such remaining provisions to be carried into effect if in their judgment the general purpose hereof can be carried out after eliminating the provision found to be unconstitutional.

23. *Takes Effect.* This act shall take effect upon its passage.

The reading of the amendment having commenced Mr. Graf of Manchester moved that the further reading be dispensed with.

The question being on the motion of Mr. Graf.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

Mr. McDonough of Dover desired to be recorded as voting against the motion.

The amendment was then adopted and the bill ordered to a third reading.

#### RESOLUTIONS

WHEREAS, This House has learned with sorrow of the death of Stanley H. Abbot of Wilton, a former member of the General Court, therefore be it



*Resolved*, That we, the members of the New Hampshire House of Representatives, in General Court convened, hereby attest our appreciation of his character as a loyal son of our State and one who was ever interested in its well-being, and be it further

*Resolved*, That the Clerk of the House be instructed to transmit a copy of these resolutions to his bereaved family.

BERNADETTE E. CHAROIS,  
PHILIP C. HEALD,  
FRED T. WADLEIGH,

*For the Committee.*

On a *viva voce* vote the resolutions were adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills and joint resolutions, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 418, An act relating to the salary of the treasurer of the county of Rockingham.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the compensation of the county treasurers.

On motion of Mr. Cilley of Exeter the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

Amend section 1 of said bill by adding after the date "1929" in the third line the words and by chapter 14, Laws of 1935.

On motion of Mr. Bagley of Berlin the House concurred in

the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

Amend said resolution by striking out the first sentence thereof and inserting in place thereof the following:

That the sum of twenty-five thousand dollars (\$25,000) be and hereby is appropriated for the construction of a breakwater to improve and protect the Ocean boulevard in the town of North Hampton commencing at the Little Boar's Head fish houses, so-called, and running southerly to the Bath Houses, so-called, approximately eleven hundred feet, and for the payment of any expense of eminent domain proceedings as hereinafter provided.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

Amend said resolution by adding after the word "said" in the twelfth line the following: town shall not be entitled to apply for or receive.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

Amend said resolution by adding at the end thereof the following:

The sums appropriated by the state and by the town shall be expended under the direction of the highway commissioner

and the sum appropriated by the state shall be a charge upon the highway funds.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 301, An act relating to the public service commission.

Amend the section numbered 11 as inserted by section 1 of the bill by adding after the word "council" in the third line the words, and within the limits of the appropriation for such purpose; and further amend said part of section 1 by striking out the words "and legal counsel" in the fourth line, so that said section as amended shall read as follows:

11. *Expenditures.* In the exercise of the authority and performance of the duties prescribed by law, the commission shall have the authority, with the approval of the governor and council and within the limits of the appropriation for such purpose, to employ and fix the compensation of such regular staff, including experts, as it shall deem necessary. Should emergency require, it may in addition to the sums appropriated for its use by the legislature expend such further sums as the governor and council may approve, such further sums to be paid out of any money in the treasury not otherwise appropriated.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 306 (new draft), An act to create a fish and game commission and to define its powers and duties.

Amend section 2 by striking out in lines 5 and 6 the following: "Not more than two commissioners shall be members of fish and game clubs"; so that said section as amended will read:

2. There shall be a fish and game commission of five members, each well informed on the subject of wildlife conservation and restoration, appointed by the governor with the advice of the council. Not more than three commissioners shall be of the same political party. One member shall be a resident of either Coos or Carroll county, another of either Grafton or Sullivan county, another of either Merrimack or Belknap county, another of either Rockingham or Strafford county, and another of either Cheshire or Hillsborough county. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

Amend section 6 by adding after the word "power" in line 3, except in the removal of a director, in which event the full board will be present and voting; so that said section as amended will read:

6. A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power, except in the removal or a director, in which event the full board will be present and voting. At least ten days' notice in writing shall be given to all members of any meeting.

Amend section 8 by inserting after the word "term" in line 5, at the pleasure of the commission; so that said section as amended will read:

8. The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wildlife resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the commission may de-



termine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall execute and file with the state treasurer a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties. He shall have general supervision and control of all activities, functions, and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals and birds, and shall exercise all necessary powers incident thereto.

Amend section 11 by adding at the end thereof the following: The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just; so that said section as amended will read:

11. Rules, regulations and orders of the director shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having a general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality where such rules, regulations, and orders are applicable; but, if no such newspaper is so published or circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations, and orders may also be given such other publicity as the director may deem desirable. The fish



and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just.

Amend section 15 by adding at the end of said section the following words, "including a biological survey of the state," so that the section as amended shall read as follows:

The director shall enter into cooperation with the departments of the Federal government and of this and all other states, for the protection, propagation and preservation of fish, game and fur-bearing animals in this state, and shall execute all matters pertaining thereto, including a biological survey of the state.

Amend section 18, paragraph (i) by striking out the word "dogs" in line 2, by striking out the words "and vehicles" in lines 2 and 3, and by adding after the word "same" in line 5 the words, at the owner's expense; so that said paragraph (i) as amended will read:

(i) To seize all fishing tackle, guns, shooting and hunting paraphernalia, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Amend section 21 by striking out all after the word "request" in line 15; so that said section as amended will read:

21. No conservation officer or superintendent of hatcheries in the service of this department shall be removed therefrom except for such cause as will promote the efficiency of said service, and for reasons given in writing by the director, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing,

and furnishing affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the director; and copies of charges, notice of a hearing, answer, reasons for removal, and of the order of removal, shall be made a part of the records of this department, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected, upon request.

Amend said bill by adding after section 22 the following new subdivision:

*Special Areas in White Mountain National Forest*

22-a. *Authority for Establishment.* The forest service of the United States department of agriculture is hereby authorized to make reasonable rules and regulations for the protection of game and other animals, birds and fish on such area or areas in the White Mountain forest reserve as shall be designated from time to time by said forest service with the written approval of the commission. Said areas shall be designated as areas for the propagation, rearing and protection of fish and game and other wild life. A description of said area or areas and a plan or map thereof shall be filed in the office of said commission.

22-b. *Limitation.* At no time shall the areas designated as provided in section 22-a exceed one hundred thousand acres, in total.

22-c. *Posting.* A copy of any rule or regulation made under the provisions of section 22-a, attested by an official or employee of said forest service, shall be posted on the designated area to which said rules and regulations are made applicable and a like copy, with affidavit of posting thereon shall be filed for record in the office of the commission and in the office of the secretary of state.

22-d. *Penalty.* Whoever shall violate any rule or regulation made pursuant to the provisions of section 22-a and posted and filed as provided for herein shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

22-e. *Application of Laws.* During the period any such

rules or regulations shall be in force the laws of the state relative to fish and game inconsistent therewith shall be suspended.

On motion of Mr. Guay of Laconia the reading of the amendments was dispensed with.

The question being on the amendments.

(Discussion ensued)

On motion of Mr. Wilson of Manchester the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Wilson of Manchester, Guay of Laconia, and Ahern of Concord.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 70, An act relating to the Woodsville fire district.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 70, An act relating to the Woodsville fire district.

The bill was read a first and second time and referred to the Committee on the Revision of the Statutes.

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 452, An act relating to maternal and child health and child welfare, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a com-

mittee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 448, An act providing for assistance to aged and dependent persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

The Committee of Conference, to whom was referred House Bill No. 206 (in new draft and with new title), An act relating to State, county and municipal contracts, having considered the same, reported the same with the recommendation that the Senate recede from its position in the adoption of the amendments and the House recede from its position of non-concurrence and that the following amendment be adopted:

Amend by striking out all after section 2 and inserting in place thereof the following sections:

3. *Preference.* It shall be a condition of every such contract whether expressly set forth therein or not that all of the unskilled laborers employed throughout the performance thereof shall be bona fide residents of the state.

4. *Exceptions.* Whenever the authority letting such contracts shall determine that there is not available a sufficient number of unskilled laborers suitable for the work, said authority may modify the employment conditions of the contract so that the work on the same may proceed without interruption.

5. *Takes Effect.* This act shall take effect upon its passage.

JOHN J. CONDON,  
ELIOT A. CARTER,

*Conferees on the part of the Senate.*

BERT L. CRAINE,  
WILLIAM J. AHERN,  
WILLIAM J. CALLAHAN,

*Conferees on the part of the House.*

The report was accepted, and the amendment adopted.

## SPECIAL ORDER

Mr. Ahern of Concord called for the special order House Bill No. 113, An act relating to weight of motor vehicles.

The question being

Shall the bill be indefinitely postponed?

On motion of Mr. Ahern the bill was laid upon the table and made a special order for Wednesday, June 5, at 10:01 o'clock.

On motion of Mr. Callahan of Keene business in order at 2 o'clock was made in order at the present time.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 176, An act relating to workmen's compensation law.

House Bill No. 191, An act regarding hours of labor.

House Bill No. 447, An act to establish the New Hampshire water resources board.

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 65, An act relating to the closing of highway crossings.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Bill No. 53 (in new draft), An act relating to the registration and operation of motor vehicles by non-residents.



Senate Bill No. 67, An act relating to the operation of motor vehicles.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Keefe of Dover at 12:15 o'clock the House adjourned.

---

FRIDAY, MAY 31, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., May 31, 1935.

Mr. George A. Maxham,

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.

---

MONDAY, June 3, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., June 3, 1935.

Mr. George A. Maxham,

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, JUNE 4, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 389, An act establishing the office of State veterans' service officer.

House Bill No. 418, An act relating to the compensation of the county treasurers.

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

House Bill No. 442, An act relating to business corporations.

Senate Bill No. 53, An act relating to the registration and operation of motor vehicles by non-residents.

Senate Bill No. 67, An act relating to the operation of motor vehicles.

House Joint Resolution No. 47, Joint resolution in favor of a breakwater in the town of North Hampton.

House Joint Resolution No. 96, Joint resolution for the completion of the Powwow road in the town of Kingston.

House Joint Resolution No. 132, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 156, Joint resolution in favor of the State house department.

Senate Joint Resolution No. 2, Joint resolution for the improvement of the Old Mast road in the town of Lee.

The report was accepted.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935, re-

ported the same under joint rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to legal investments of savings banks as determined by the board of investments.

Amend section 1 of said bill by striking out the first three lines thereof and inserting in place thereof the following:

1. *Powers of Board of Investments.* Amend section 4 of chapter 32 of the Laws of 1935, approved March 26, 1935, by adding after the words "services approved by the bank commissioner" the following:

Further amend said section by adding at the end thereof the following:

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the commissioner and not otherwise, reinvest the proceeds of sales of steam railroad securities described in paragraph 1 of section 12 of chapter 262 of the Public Laws, in mortgage bonds described in said paragraph 1 of companies having an annual net income of not less than \$2,000,000, provided such railroad companies have earned their fixed charges in each of the next preceding three years and have met all interest and maturing principal payments without default. For the purposes of this temporary provision mortgage bonds are defined to be bonds secured by (a) a first mortgage or a mortgage or trust indenture which is in effect a first mortgage, on property owned or operated by such railroad company, or (b) a refunding mortgage which covers at least seventy-five per cent of railroad owned in fee by such railroad company at the date of the mortgage, and provides for the retirement of all outstanding mortgage debts which are a prior lien upon such railroad owned in fee and covered by said refunding mortgage at the date thereof.

Until May 15, 1937, savings banks and savings departments of trust companies may with the written approval of the commissioner and not otherwise, reinvest the proceeds of sales of

bonds of public service companies described in paragraph VIII of section 12 of chapter 262 of the Public Laws in mortgage bonds issued, assumed or guaranteed as to principal and interest by public service companies, provided such bonds were eligible for such investment on April 9, 1931, and the net income of the company which issued or have assumed or guaranteed the same shall in each of the three years preceding such investment have been not less than one and one-half times the annual interest on the obligations in question and all other obligations of corresponding or prior lien.

On motion of Mr. Wilson of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 301, An act relating to the public service commission, reported the same under joint rule No. 6, with the following amendments and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the words and figures "section 3 and section 4" and by adding after the date 1931 the word "and".

Further amend said bill by adding after section 2 the following new section:

2a. *Repeal.* Section 3 of chapter 151 of the Public Laws and section 4 of said chapter as amended by chapter 111 of the Laws of 1931 relative to the inspector of boats and assistant inspectors of boats are hereby repealed.

On motion of Mr. Ahern of Concord the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Molloy of Nashua presented the following report.

An investigation of an organization as close knit as the Rockingham race track, the House of Representatives is asked to remember in the following report, is predicated largely upon the willingness of officials to make available to our committee needed records and reports. To a large ex-

tent, the information our committee demanded as a whole and as individuals was granted by the track management. In most instances reports which are most revealing came largely from individuals connected with the track and was not available at the general office.

The New Hampshire Breeders' Association, which holds the license to stage meets at the Rockingham track, is controlled by out-of-State interests and most of the profits from this track are said to be used to help build other tracks that the chief owners are interested in in other parts of the country. And while there is a sprinkling of New Hampshire stockholders, the major share of the profits from the track go out of the state. It is therefore evident, as in any business, that the interest of this organization in New Hampshire depends entirely upon the percentage of profit that can be shown on its investment in the shortest possible time. Tracks of this sort it is estimated usually bleed the surrounding territory dry in five or six years, and are afterwards abandoned as unprofitable. The major stockholders at this track are at the moment anxious to relinquish their holdings in a track at Texas and there is no reason to believe that they will not be just as anxious to sell out in this state a few years hence.

There has been little permanent outlay at the track this year outside of making such needed improvements as painting and the like. The much promised substantial and permanent improvements to the property, made at legislative hearings, such as additions to the grandstand and the like have not materialized. In fact few of the promises made by the high powered and expensive legislative lobby of the track last winter seem to have materialized.

With that as a background your committee asked that records showing the personnel of the track be submitted. This was done and these track records show that 462 persons are employed at the track in some sort of a capacity. A total of 388 are listed as residents of the state by the track, and 74 as non-residents, which would bring them about to the 85 percent requirement for N. H. labor made by the legislature. You will note that the track lived up to the letter of the law



to almost the exact degree. They did not place one more New Hampshire man than they needed to.

We were informed that business at the track had fallen to such an alarming degree that cuts had to be instituted and that of 92 on the \$2 selling windows a total of 84 were cut from \$8 to \$6 a day. Of the 66 men on the \$2 payoff windows, 35 were cut from \$8 to \$7 per day. Thirty-one who worked as cashiers last year did not get the \$1 cut.

The track has offered two arguments on this wage reduction. The first is that it is not making enough money and that is probably right if you consider it from their standpoint, where no profit is sufficient unless it is 90 cents on the dollar. The second is that new men are not worth more than \$6 per day.

Last year and the year before a green man was worth \$8 per day to the track and should be worth that today. It is not on the basis of value that the cut is being made as the men at the windows do more work this year than they did a year ago for less money. The track places a costly premium on ability as it deducts from the wages of the payoff cashiers any losses they may sustain in cashing the stubs.

One conclusion that can be drawn is that New Hampshire labor has been largely discriminated against in this wage reduction program. New Hampshire residents for the most part seem to have the poorest paying jobs at the track and feel the sting of the biggest cuts.

Records will show that the track itself estimates its daily profit at about \$3,000 and an accurate check of the books will probably show that it is twice that, a sufficient profit for anyone on the investment at Rockingham Park. With that evident there rises the question of the attitude of the track owners in trying to squeeze extra dividends by instituting pay cuts largely directed against New Hampshire workers.

The point raised that if the track wants to make more money then it should at the expense of out-of-state workers who hold down jobs here only by the grace of a license issued by the state. New Hampshire should see that its own residents are treated fairly in a proposition of this sort. If the

state must put a protecting arm around a race track it should at least be able to dictate the terms and not be dictated to.

In gauging the profits we naturally had to take the figures given by the track management. You may rest assured that they gave themselves none the best of it. For the first ten days of the meet they estimated the paid attendance averaged \$5,000 daily. The commission to the track on the pari-mutuel windows for the ten days was \$175,000 and the "breakage" which goes to the track was almost \$24,000, a total of little better than \$250,000. They now estimated their expenses at \$22,000 daily, setting \$9,000 as purses, \$5,000 as payroll and a little matter of \$8,000 as incidentals. You will probably find that the track, exclusive of breaking, using their figures, will net around \$100,000 a meet and tack on to that "breakage" of over \$100,000 a year, a percentage from the concessions, and the like.

These two points bring out that the track in instituting pay cuts adopted the attitude that they have a license for four years and the state could now take a back seat. There is one of two courses evident as a result of this investigation. Either New Hampshire can step in and control the track or let the owners run wild. If they are to be permitted to roll up greater profits at the expense of New Hampshire workers, then you can anticipate that further changes will be in order. They do not have to curry favor from the legislature again for four years, and by that time they will be willing to fold up their tents, sell out and head for virgin fields. New Hampshire will be as dry as the Sahara financially. As an illustration, the committee might point out that the track officials in explaining statements attributed to Mr. Harry Hayes, made last winter when the bill was up for passage, to the effect that the track wage would be the same as last year, said that Mr. Hayes' statement was meant to apply to all departments of the track except the mutuel department. At least this was the explanation offered by Mr. Hayes to the chairman of the committee, Mr. Molloy, at the track last week. The track has taken every opportunity to seek out loopholes to evade its

promises and the above point should clearly illustrate that as far as the House of Representatives is concerned.

An interesting point raised by the investigation is the directing authority to hire help and the method used to place men on the payroll. Figures presented to us showed that of the 400-odd men employed at the track a total of 120 reside in Salem. Practically one-third of the help hired at the track and at least one-seventh of the entire voting population of that town is employed at the track.

In addition to helping town officials settle their own unemployment problems at the expense of the rest of the state, the track pays a daily license fee of some \$250 and the taxes of \$7,400 on real estate.

The committee also found upon investigation that the only water available for drinking purposes was hidden away in the lavatories and that no place about the vast property could one find bubblers. The only conclusion to be drawn from that is that nothing is free.

New Hampshire at the present moment derives three and a half percent from the pari-mutuel take at the track, a sizable sum each year. The track's share is almost twice that with the gate, concessions, programs and everything thrown in. While it is expected that the management should derive a fair profit, it would be advisable for the state to actually determine what that profit is and to set its course accordingly. New Hampshire needs additional revenue to balance its budget. The race track provides an ideal place to secure such revenue without dipping too deeply into the profit bag of the promoters.

This committee has been warned to handle the situation with kid gloves or that the track officials will close their property rather than pay an ounce more than their profits to the state. This hardly seems likely as you will note in the appended list showing what went into incidentals to make up an expense of \$8,000 a day to the track. A total of \$54,016.56 was spent last year for legal and professional fees; \$51,000 was spent by the track for newspaper advertising;

there is an item of \$22,000 for auto expense at a track where the horses run; rental of typewriters, bad checks, water and the like is lumped together in a sum totaling \$21,000; it cost almost \$13,000 to maintain a New York office for a New Hampshire corporation and this amount is almost twice what the pay cut cost would be if restored for this meet; printing bill was set at \$25,000. It is evident that promises mean nothing where profits are concerned and that but one course is open to the General Court before it convenes, amend the bill so that written guarantees can be produced and not later denied.

Appended to this report is a complete schedule showing the daily take at the track, gate receipts, pari-mutuel profits, number of help and the like. All bear out the recommendations of this report. They are for your inspection and later action.

In conclusion I wish to make these specific recommendations.

1. That the track has failed to maintain the wage scale of a group consisting largely of New Hampshire workers. I recommend that the present bill be amended so as to require that the 1934 level of employees be maintained, or at least pegged at the prevailing rate so that there will be no further reductions. (In these instances where wages have been cut men have been asked to do extra work by handling an extra race than last year. It is also customary to deduct from the pay of this class of employees all of the losses sustained by handling money through the windows.)

2. That the track has violated by every principle its right for fair treatment and that a bill should be entered giving New Hampshire at least 25% of the "breakage" which now goes wholly to the track.

3. That the facts and figures as presented show that the track could operate at a fair profit at five percent of the present ten percent cut and that a bill should be introduced raising New Hampshire's share of the receipts to five percent, thereby opening new and needed sources of revenue to balance the budget.

In closing I respectfully submit that early action be taken on these recommendations.

WILLIAM A. MOLLOY,  
*Chairman of the Special Committee.*

## GATE RECEIPTS FOR THE FIRST TEN DAYS

	1935		1934	
	<i>Gross</i>	<i>Net</i>	<i>Gross</i>	<i>Net</i>
1.	\$10,425.90	\$8,941.09	\$14,408.00	\$12,967.20
2.	3,953.10	3,350.81	5,380.55	4,675.50
3.	3,678.80	3,084.73	5,247.95	4,551.75
4.	11,629.35	10,003.06	7,960.15	6,919.20
5.	3,920.45	3,262.44	5,893.00	5,303.70
6.	3,646.25	3,006.00	4,584.00	4,125.60
7.	6,054.25	5,048.12	10,321.00	9,288.00
8.	3,704.65	3,009.13	5,229.50	4,706.55
9.	3,642.70	2,947.57	4,350.00	3,915.00
10.	10,595.15	8,968.25	18,965.00	17,068.50
	<hr/>	<hr/>	<hr/>	<hr/>
	\$61,250.66	\$51,621.20	\$82,339.15	\$73,521.00

## PARI-MUTUEL RECEIPTS FOR THE FIRST TEN DAYS

	1935	1934
1.	\$325,310	\$321,775
2.	188,592	178,309
3.	195,455	179,102
4.	393,176	265,622
5.	215,248	208,351
6.	211,911	188,598
7.	274,481	339,324
8.	225,537	206,824
9.	238,368	191,719
10.	436,548	488,774
	<hr/>	<hr/>
	\$2,704,626	\$2,568,398



*6½% Commission to Track 3½% Commission to State*

	<i>1935</i>	<i>1934</i>	<i>1935</i>	<i>1934</i>
1.	\$21,145.15	\$20,915.37	\$11,385.85	\$11,262.13
2.	12,258.48	11,590.09	6,600.72	6,240.81
3.	12,704.57	11,641.43	6,840.93	6,206.57
4.	25,556.44	17,265.43	13,761.16	9,296.77
5.	13,991.12	13,542.81	7,533.68	7,292.29
6.	13,774.22	12,258.87	7,416.88	6,600.93
7.	17,841.26	22,056.06	9,606.84	11,876.34
8.	14,659.91	13,443.56	7,893.79	7,238.84
9.	15,493.92	12,461.74	8,342.88	6,710.16
10.	28,375.63	31,770.31	15,279.18	17,107.09
	<hr/>	<hr/>	<hr/>	<hr/>
	\$175,800.70	\$166,945.67	\$94,661.91	\$89,831.93

## BREAKAGE TO THE TRACK FOR FIRST TEN DAYS

*1935*

\$23,685.45

## BREAKAGE TO THE TRACK FOR THE ENTIRE MEET OF 1934

\$170,569.65

Gate Receipts for Ten Days	\$51,621.20	
Commission to Track Ten Days	175,800.70	
Breakage to Track Ten Days	23,685.45	
	<hr/>	
Total Receipts	\$251,107.35	
Expense estimated per Day		\$22,000.00
Expense estimated 10 Days	220,000.00	
	<hr/>	
Net for 10 Days	\$31,107.35	
Net for 1 Day	3,110.73	

## ESTIMATED EXPENSE PER DAY

		<i>Payroll includes</i>
Purses	\$9,000	Mutuel
Payroll	5,000	Office
Incidentals	8,000	Publicity
	<hr/>	Maintenance
	\$22,000	Tickets & Gate

Police & Firemen  
 Parking  
 Odds & Board

Listed under the items of incidentals going to make up the daily average of \$8,000, the following were given to us. It was quite alarming to note that legal fees for 1934 were \$54,016.56. What they are for 1935 we were unable to find out.

## EXPENSE 1934

Newspaper Advertising	\$51,218.86
Auto Expense	22,335.37
Badges	1,061.20
Banks—Use of Borrowed Money	6,820.00
Claims Paid	545.95
Electric, Power & Gas	5,051.53
Fire Loss	5,275.50
General Expense: Drugs, Laundry, Water, Bad Checks, Rental of Typewriters, etc.	21,068.58
Horsemen	6,685.82
Insurance	6,762.05
Interest on Mortgage	2,663.00
Notes & Loans	15,115.30
Legal & Professional	54,016.56
New York Office	12,250.01
Shortages	909.39
Band	8,516.68
Pinkerton Detectives	24,631.86
Printing, Stationery & Supplies (includes pro- grams and Mutuel Tickets)	25,342.67

The following is the rate of pay for the employees at the Race Track.

Police and Firemen	
Chief and Assistant	\$6 per day
Others	5 " "
Parkers	
Charge of Parking	\$5 per day
Others	4 " "

## Maintenance and Grounds

Carpenters	\$1.10 per hr.
Truck Drivers	.50 " "
Grounds	.40 " " 6 hrs. per day
Others	5.00 per day

## Admission—Tickets—Gate

Sellers	\$6 per day
Ticket Takers	5 " "

## Mutuel Department

Sellers	
\$50 window	\$10 per day
10 " "	8 " "

Cashiers	
\$50 window	\$10 per day
10 " "	8 " "

Change Men	\$8 " "
------------	---------

Outside Men	
One man	\$6 " "
One man	5 " "

Doormen	
Some	\$7 " "
Some	5 " "
Porters	\$6 " "

Ticket Checkers	
Some	\$12 " "
Some	7 " "
Some	6 " "
Some	5 " "

Money Room	
Some	\$30 " "
Some	18 " "
Some	12 " "
Some	10 " "

Counterfeit Detectives	\$6 " "
------------------------	---------

Sheet men	
Some	\$15 " "
Some	12 " "
Some	10 " "

Messengers	
Some	\$7 per day
Some	\$5 " "
Boardmen	\$10 " "
Special Detective	\$10 " "

## SUMMARY

	<i>New Hampshire</i>	<i>Other States</i>	<i>Total</i>
Police and Firemen	49	1	50
Parkers	28	..	28
Maintenance and Grounds	66	1	67
Admission---Tickets---Gate	51	12	63
	...	..	...
	194	14	208
Mutuel Department			
Sellers	89	24	113
Cashiers	77	16	92
Change Men	1	1	2
Outside Man	1	..	1
Doormen	2	2	4
Porters	..	2	2
Ticket Checkers	15	6	21
Money Room	6	..	6
Counterfeit Detectives	..	4	4
Sheet Men	2	1	3
Messengers	1	2	3
Boardmen	..	1	1
Special Detective	..	1	1
	—	—	—
	194	60	254
	—	—	—
Total	388	74	462

The report was accepted.

## OPINION OF THE SUPREME COURT

*To the House of Representatives:*

The justices of the supreme court give this opinion upon the inquiry of your resolution of May 22, concerning the

validity, under the State or the Federal Constitution, of House Bill No. 405.

No provisions of the bill have been brought to our notice which are thought to conflict with the state constitution. But the bill seems repugnant to the provisions of the federal constitution relating to a state's levy of import duties and to federal regulation of foreign commerce.

In arriving at our conclusion we have followed the well established rule that with reference to these provisions the constitutionality of a statute is to be decided by an examination of its real purpose and its actual effect. As the rule has been stated: "A State law, although apparently for the protection of the public health, will be scrutinized as to its results in actual practice to ascertain its essential characteristics, and will not be upheld merely because of its declared purpose. A statute which really operates as an undiscriminating exclusion of the products of other states will not be sustained because under the guise of a health statute. If it is in fact a regulation of interstate commerce in its primary application, then it is invalid regardless of its dress or designation. . . . Nor is it of consequence that the State law is not prohibitory in its nature, provided its effect is to discriminate against the products of other States and in favor of its own. . . . There is, however, a large class of State laws which have been upheld as valid police regulations, although incidentally they bear upon interstate commerce. If such statutes are a genuine exercise of the police power, are general in their operation, and have a rational connection with the end to be accomplished of protecting and promoting the public health, they will be sustained, even though they may affect or burden interstate commerce in some respects." *Commonwealth v. Moore*, 214 Mass. 19, 25.

The supreme court of the United States has declared the method of treatment to the same effect in this language: ". . . we accept the decision of the state court of last resort, respecting the proper construction of the statute, but are in duty bound to determine the questions raised under



the Federal Constitution upon our own judgment of the actual operation and effect of the tax, irrespective of the form it bears or how it is characterized by the state courts." *Crew Levick Co. v. Pennsylvania*, 245 U. S. 292, 294. In another case the same court said: "Undoubtedly, a State may establish regulations for the protection of its people against the sale of unwholesome meats. . . . But it may not, under the guise of exerting its police powers, make discriminations against the products and industries of some of the states in favor of the products and industries of its own or of other States." *Brimmer v. Rebman*, 138 U. S. 78, 82. The case was affirmed and followed in *Voight v. Wright*, 141 U. S. 62.

Granting that in the exercise of its police power a state may pass inspection and license laws in proper self-protection and charge reasonable fees to meet the expense of administering the laws, the power is under the restraint that its exercise shall not operate to control or regulate foreign or interstate commerce, except as it may be incidentally affected in common treatment with local commerce.

"In the exercise of its police powers, a State may exclude from its territory, or prohibit the sale therein of any articles which, in its judgment, fairly exercised, are prejudicial to the health or which would endanger the lives or property of its people. But if the State, under the guise of exerting its police powers, should make such exclusion or prohibition applicable solely to articles, of that kind, that may be produced or manufactured in other States, the courts would find no difficulty in holding such legislation to be in conflict with the Constitution of the United States.

"The power of the national government over commerce with foreign nations and among the several States is broad and comprehensive. It reaches the interior of every State of the Union, so far as it may be necessary to protect the products of other States and countries from discrimination by reason of their foreign origin. *Brown v. Maryland*, 12 Wheat, 419." *Guy v. Baltimore*, 100 U. S. 434, 443.

The bill seeks to place burdens on the business of dealing

in and selling bread and pastry made in and imported from a foreign country. If the products are made locally or in another state, they are free from the burdens. No reason suggests itself why, in the interests of public health or in other public concern, bread and pastry made in a foreign country should be inspected and sold under license while that made in this country has no need of such regulation. The purpose of the bill to discourage the importation from another country of these products is reasonably apparent. The bill provides that the secretary of state before issuing a license to an applicant shall have an investigation made of the premises where the products are manufactured and "examine working conditions." The license is to be granted if the applicant satisfies the secretary that he is suitable and pays the fee. Not only is the importer obliged to pay a license fee, but as well his salesmen and the dealers in the products after their importation. The bill is silent as to any test or formula of the applicant's suitability and the secretary has no defined guidance for determining it. The reference to working conditions, the substantial fees required from salesmen and dealers for licenses unrelated to inspection, and the amount of the importer's fee combine as items to indicate the real purpose of the bill to levy a charge in the nature of an import duty on the foreign made products which will either act as a barrier to their importation or place them on a basis which competition may more readily meet.

The result is that the bill is considered to propose fatally defective legislation. By its discriminatory features it will amount to a direct regulation of foreign commerce in placing it under restrictions not applicable to other commerce in the same kind of property. Also, it will be in defiance of the limitation of a state's power to tax the importation of goods. The indirection of method does not overcome the bar. "When the constitution prohibits states from levying duties on imports, the prohibition not only extends to a tax upon the act of importing, but also to one upon the occupation of the importer, or upon the articles imported." *Willcutt v. Bunn*, 282 U. S. 216, 228.

Whether the requirement of the bill that the license and certificate to be issued shall be conspicuously displayed at the licensee's place of business is valid as a special regulation, is a point of doubt. Similar legislation has not been upheld. *People v. Hawkins*, 157 N. Y. 1; *Opinion of the Justices*, 211 Mass. 605; *Jewett Bros. & Jewett v. Small*, 20 S. D. 232; *State v. Jacobson*, 80 Or. 648; *Collins v. New Hampshire*, 171 U. S. 30.

JOHN E. ALLEN,  
THOMAS L. MARBLE,  
OLIVER W. BRANCH,  
PETER WOODBURY,  
ELWIN L. PAGE.

June 3, 1935.

The reading of the opinion having commenced the further reading was dispensed with as the opinion would be printed in the Journal.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Bill No. 303, An act to reimburse the federal government for emergency conservation work on State land, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out the whole of said section and inserting in place thereof the following:

1. *Amendment.* Amend chapter 192 of the Public Laws, as amended by chapter 130 of the Laws of 1927, by inserting after section 7 a new section to read as follows: 7a. *Reimbursement.* Notwithstanding the provisions of the previous section if upon a sale of state lands or products of such lands the state forester shall determine that the state has derived a direct cash profit as the result of work done on the land sold or on land the products of which are sold, done or to be done by the Federal Emergency Conservation Corps, one-half the profit from said sale of land or one-half the proceeds of the sale of such products, or such lesser amount as may be sufficient (such amount to be determined by the state forester with the approval of the state comptroller) shall be applied to or towards reimbursing the United States Govern-

ment for moneys expended by it for the work so done, but not exceeding in the aggregate three dollars per acre. The state forester with the approval of the state comptroller shall fix and determine the amount of said profit or proceeds. Such one-half part of such profit or proceeds as the case may be shall be retained by the state treasurer in a separate fund until the account of the United States government with respect to such sale becomes liquidated. Upon completion of the sale the state forester, subject to the approval of the state comptroller is hereby authorized to settle with the proper federal authority an account fixing the amount due the United States government and the amount so fixed shall be paid by the treasurer. The unexpended remainder, if any, of such one-half part of such profit or proceeds shall then be applied as otherwise provided by law for the proceeds of the sale of state lands and products thereof.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Merrill of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maxham of Concord for the Committee on Claims, to whom was referred House Joint Resolution No. 158, Joint resolution in favor of the town of Milan, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 422, An act to repeal charters of certain corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.



Mr. Keefe of Dover for the Committee on Judiciary, to whom was referred House Bill No. 449, An act to promote rural electrification, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barnard of Manchester for the Committee on Revision of the Statutes, to whom was referred Senate Bill No. 66, An act relating to the escheat of estates, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 7 the word "ten" and inserting in place thereof the word, twenty, so that said section as amended will read as follows:

1. *Amendment.* Amend chapter 307 of the Public Laws as amended by chapter 20 of the Laws of 1929, chapter 136 of the Laws of 1933 and chapter 75 of the Laws of 1935 by adding the following new section after section 11 thereof:

11a. *Limitation on Claims.* All property heretofore paid or which shall be paid into the State Treasury under the provisions of sections 8 and 9 remaining undisposed of after the expiration of twenty years from the date of such payment shall escheat to the state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Rules reported the following entitled bill, House Bill No. 453, An act regarding compensation of county commissioners of Grafton county with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, and laid upon the table to be printed.

On motion of Mr. Mitchell of Campton the rules were suspended and the bill referred to a special committee consisting of the delegation from the county of Grafton.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hamp-



shire, with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 428, An act to stimulate economic recovery by the encouragement of building projects, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 428, An act to stimulate economic recovery by the encouragement of building projects, being unable to agree with the majority reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in lines 4 and 5 of the printed bill the words "additions to and", so that said section as amended will read as follows:

1. *Declaration of Policy.* The purpose of this act is declared to be the relief of unemployment and the lessening of the burden now resting upon the state thereby caused, by stimulating the construction of improvements upon existing buildings or structures.

Amend section 2 by striking out in lines 1 and 2 and in line 5 (of the printed bill) the words "additions to or" so that said section as amended will read as follows:

2. *Emergency Construction: Exemption.* Any improvements upon existing buildings or structures, which shall be commenced after the passage of this act and prior to April 1, 1937 shall be deemed to be emergency construction and such improvements shall be exempt from taxation until the taxable year beginning April 1, 1940, provided that this section shall not be construed to exempt the land upon which such construction shall be effected. Any construction which restores, repairs, remodels or rebuilds any building or structure which has been destroyed or impaired by fire, flood or

wind, or impaired by smoke or water shall not be construed as emergency construction under this section.

WILLIAM A. LEE,  
CHARLES E. SHEPARD,  
OVID F. WINSLOW,  
HENRY F. DAGAN,  
ARTHUR P. GALE,

*A minority of the Committee.*

Mr. Guay of Laconia moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Guay.

(Discussion ensued)

Mr. Emery of Manchester moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the report of the minority be substituted for the report of the majority?

On a *viva voce* vote the negative prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hunter of Hanover for the special committee consisting of the delegation from the county of Grafton, to whom was referred House Bill No. 349, An act establishing commissioner districts in the county of Grafton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Mitchell of Campton for the special committee consisting of the delegation from the county of Grafton, to whom was referred House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Stevenson of Exeter offered the following amendment.

Amend said bill by striking out in the eighth line after the

word "Rockingham" the words "five hundred dollars" and inserting in place thereof the words eight hundred dollars.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

#### RESOLUTIONS

Mr. Wilson of Manchester offered the following resolutions.

WHEREAS, The House of Representatives has learned with sorrow of the death of the Honorable Arthur P. Morrill, a former Speaker of the House and a former President of the Senate, therefore

*Resolved*, That the Speaker appoint a committee to draft suitable resolutions upon his death.

*Further resolved*, That when the House adjourns this morning, it adjourn out of respect of the memory of Mr. Morrill.

On a *viva voce* vote the resolutions were adopted.

The Speaker appointed as members of such committee Messrs. Boutwell, Ahern, Blake, Freeman, and Blood of Concord.

Mr. Shepard of New London offered the following resolutions.

WHEREAS, The House of Representatives has learned with sorrow of the death of Fred B. Gay of New London, N. H., a former member of this House for two sessions, and

WHEREAS, From our association and contact with him we realize that his town and the State has lost one of its able and loyal citizens, therefore

*Be it resolved*, That the House extend to his family its deep sympathy in their bereavement, and

*Be it further resolved*, That the Clerk transmit a copy of these resolutions to Mrs. Gay and family.

CHARLES E. SHEPARD,  
ERWIN W. QUIMBY,  
ALFRED S. CLOUES,  
OSCAR A. COLBURN,  
ERNEST H. HOWARD,

*Committee on Resolutions.*

On a *viva voce* vote the resolutions were adopted.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Bill No. 389, An act establishing the office of State Veterans' Service officer.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 426, An act relating to railroads and public utilities.

House Bill No. 442, An act relating to business corporations.

House Joint Resolution No. 132, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 156, Joint resolution in favor of the State House department.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 424, An act providing for the registration of weighing and measuring devices.

House Joint Resolution No. 5, Joint resolution in favor of Archie Drouin.

House Joint Resolution No. 9, Joint resolution in favor of Gardner W. Flagg.

House Joint Resolution No. 125, Joint resolution to reimburse certain persons for live stock killed and damages done by bears.

House Joint Resolution No. 151, Joint resolution in favor of Eva E. Dow.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 56, An act relating to the liability of towns.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 67, An act relating to municipal lighting systems.

Amend Article 3 by inserting after the word, "council," in line 2 the words "by vote of two-thirds of its members," so that said section as amended shall read as follows:

3. *Acquisition by Cities.* Any city may acquire or establish such a plant after the city council by vote of two-thirds of its members shall have voted, subject to the veto power of the Mayor as provided by law, that it is expedient so to do, and after such action by the city council shall have been confirmed by a majority of the qualified voters at a regular election or at a special meeting duly warned in either case; and if such confirming vote is not had within one year from the date of the vote to acquire, or if it is had and is unfavorable, no similar votes shall be passed within two years thereafter.

Amend section 4 by striking out said section and inserting in place thereof the following:

4. *Acquisition by Towns.* Any town or village district may acquire or establish such a plant after two-thirds of all the voters present and voting at an annual or special meeting, duly warned in either case, have voted by ballot with the use of the check list that it is expedient so to do. If such vote is unfavorable no like vote shall be passed within two years thereafter.

Further amend said bill by striking out section 9 and inserting in place thereof the following:



9. *Construction and Condemnation.* If the utility shall have replied in the negative or if it shall have failed to reply within the time prescribed in section 6 hereof, the municipality in the event that it shall have passed the vote or votes required in sections 3 and 4 hereof and after the commission upon proper notice and hearing has determined that it is for the public interest so to do may construct a municipal plant or may take such private plant and property by condemnation, paying therefor just compensation determined in the manner provided in section 8 hereof.

On motion of Mr. Guay of Laconia the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Graf of Manchester, Vancore of Northfield, and O'Reilly of Manchester.

House Bill No. 281 (new draft and new title), An act requiring toilet facilities in restaurants and other public eating places.

Amend section 1 by inserting after the word "connection" in line 13, the following: nor to existing establishments while in their present locations, unless major alterations are made; so that said section as amended shall read:

1. *Toilet Facilities to be Provided for Restaurants.* All restaurants, dining rooms, lunch rooms, tea rooms and other places where the business of serving food to the public is conducted shall be equipped with toilets and lavatories convenient of access for the use of patrons. Separate toilets and lavatories shall be provided for women except where the circumstances may be such as, in the judgment of the health officer, to render separate provision unnecessary. Provided that the provisions of this act shall not apply to the service of lunches in stores or at roadside refreshment booths, nor to food service of temporary character, nor to portable bona fide lunch carts without sewer connection, nor to existing establishments while in their present locations, unless major alterations are made. The state board of health and the health officers of cities and towns are charged with the enforcement of this act.

Mr. Smart of Tilton moved that the House concur in the

adoption of the amendments sent down from the Honorable Senate.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Young of Wakefield the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Carroll of Laconia, Young of Wakefield, and Blood of Concord.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 305, An act to revise and amend the fish and game laws.

Amend chapter 197, section 4, by adding at the end thereof the words, except brook trout; so that said section as amended will read:

4. *Limit on Possession.* No person may have in his possession at one time more fish, game or fur-bearing animals than he may lawfully take in two days, except brook trout.

Amend chapter 197, section 16, by striking out the word "dogs" in line 4 and the words "and vehieled" in line 5, and by adding after the word "held" in line 6 the words, at the expense of the owner; so that said section as amended will read:

16. *Other Property upon Conviction.* When a defendant is convicted of violating any of the provisions of this act, all fishing tackle, guns, shooting or hunting paraphernalia, traps, boats, decoys or other appliances used in such violation, may be seized and held at the expense of the owner until the fine and costs imposed for the violation have been paid in full.

Amend chapter 197, section 36, by striking out the word "twenty" in line 14 and substituting therefor the word ten; so that said section as amended will read:

36. —. Any person who shall kill in this state any wildcat of the species known as bobcat, or lynx, may deliver the carcass thereof, in the same condition as when

killed, to any fish and game warden or the director, with a sworn statement that it was killed in this state within forty-eight hours, and giving the date and place of the killing thereof, and upon request, shall accompany the warden to the precise spot where the same was killed. Said fish and game warden shall thereupon report to the director, who, being satisfied that the same was killed in this state, shall certify the killing to the governor. The governor is hereby authorized to draw his warrant upon the fish and game fund for the payment of ten dollars for each bobcat or lynx so killed, reported and certified. The ears of such animal shall be punched by said fish and game warden with a punch to be furnished to him for the purpose by the director. If the animal is a lynx, the carcass with the pelt thereon shall be returned to its killer. If the animal is a bobcat, the warden shall cause the skin to be removed from the carcass and shall forward the skin to the director. The director shall sell such skins and return all monies received therefor to the state treasurer to be credited to the fish and game fund.

Amend chapter 197, section 39, by striking out the words and figures "October 20" in line 2 and substituting therefor the words, and November 1, except by a permit from the director; so that said section as amended will read:

39. *Trapping.* No person shall set traps for bobcat or lynx between August 20 and November 1, except by a permit from the director.

Amend chapter 198, section 5, by striking out the word "deer" in line 2, and by adding after the word "gun" in line 3 the words, except implements used for coon hunting, and by striking out in lines 6 and 7 the words, "including any vehicle in which the same is being transported"; so that said section as amended will read:

5. *Possession of Jacks, etc.* No person shall have in his possession while hunting any jack or artificial light, swivel, pivot, or set gun, except implements used for coon hunting. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation.

Amend chapter 198, section 7, by making a new section to read as follows:

7. *Dogs.* Every fish and game warden shall kill a dog which he finds in the act of hunting, pursuing, or killing deer. No owner or keeper of a dog that will hunt or pursue deer shall permit such dog to run at large, and the finding of such a dog in the act of hunting, pursuing, or killing a deer, shall be prima facie evidence that such dog was permitted to run at large in violations of the provisions of this section. The presence of a hound in a hunting or logging camp during the open season for hunting deer, shall be prima facie evidence of its unlawful use. Nothing in this section shall be construed as prohibiting the hunting of foxes by dog and gun during the open season for deer.

Further amend said section 7 to read 7a.

Amend chapter 199, section 2, by leaving out in line 2 the words, except in the counties of Coos and Carroll; so that said section as amended will read:

2. *Pheasants.* Male pheasants may be taken and possessed from November 1 to November 11. No person shall take more than two male pheasants in one day nor more than six male pheasants in one season.

Amend chapter 200, section 6, by adding after the word "permit" in line 4, the words, each year; so that said section as amended will read:

6. *Setting.* No person shall set or arrange any trap upon any land of which he is not the owner or occupant, until he shall have secured from the owner or occupant a permit each year in writing signed by said owner or occupant, and until he shall have filed with the director a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passage way by human beings or domestic animals.

Amend chapter 200, section 13, by striking out the whole of said section and substituting therefor the following:



13. ——. A person who violates a provision of this chapter shall be fined not more than ten dollars and not more than five dollars additional for each muskrat or skunk taken or possessed contrary to the provisions hereof, and not more than fifty dollars and not more than twenty-five dollars additional for each beaver, sable, fisher, martin, mink, raccoon, otter or fox so taken or possessed; provided that a person violating section 10 shall be fined not more than five hundred dollars and shall be liable for twice the amount of the damage caused by his act, to be recovered by the person sustaining the injury or loss.

Amend chapter 201, section 1, by striking out the word "two" in line 14 and inserting in place thereof the word one; so that said section as amended will read:

1. *Brook Trout.* Brook trout may be taken and possessed from May 1 to September 1, and during the month of September by the use of artificial flies only in Coos, Grafton and Carroll counties. Brook trout may be taken and possessed from May 1 to August 1, and during the month of August by the use of artificial flies only, in all of the other counties in the state. No person may take or possess brook trout less than six inches in length. No person may take more than twenty-five in number nor more than five pounds in weight when taken, in one day. Provided so long as he has taken less than five pounds he shall be entitled to one additional fish. No person may have in his possession at one time a total of more than one day's legal catch of brook trout.

Amend chapter 201, section 2, by adding after the word "rivers" in line 4 the words, and first and second Connecticut lakes; so that said section as amended will read:

2. *Salmon.* Salmon not less than twelve inches in length may be taken and possessed from Big Diamond pond, Umbagog lake, and the Connecticut and Androscoggin rivers, and first and second Connecticut lakes, and not less than fifteen inches in length from all other waters of the state, from April 15 to September 1, and during the month of September by the use of artificial flies only.



Amend chapter 201, section 4, by adding after the word "Aureolus" in line 4 the words, or not more than five pounds; so that said section as amended will read:

4. *Aureolus; Limit.* Aureolus, or golden trout, not less than ten inches in length, may be taken and possessed from April 15 to September 1. A person may take not more than four Aureolus or not more than five pounds in one day.

Amend chapter 201, section 11, by striking out the word "forty" in line 2 and substituting therefor the words, ten pounds of, and by adding at the end of said section the words, provided that so long as he has taken less than ten pounds he shall be entitled to take one additional fish; so that said section as amended will read:

11. *Yellow Perch.* A person may take a total of not more than ten pounds of yellow perch in one day, provided that so long as he has taken less than ten pounds he shall be entitled to take one additional fish.

Amend chapter 201, section 14, by adding after the word "hornpouts" in line 3 the words, and not more than ten pounds; so that said section as amended will read:

14. *Hornpouts.* Hornpouts, commonly called catfish, may be taken and possessed from June 1 to November 1. A person may take not more than forty hornpouts and not more than ten pounds between twelve o'clock noon in one day and twelve o'clock noon of the following day.

Amend chapter 201, section 15, by striking out the word "ten" in line 5 and substituting therefor the word five; so that said section as amended will read:

15. *Smelt.* Fresh water smelt may be taken and possessed by means of a dip net, held in hand, or for bait by means of a circular drop net not more than forty-eight inches in diameter. A person may take a total of not more than five pounds of fresh water smelt between twelve o'clock noon in one day and twelve o'clock noon of the following day. They may be bought and sold only for use as bait.

Amend chapter 201, section 22, by crossing out the words

"Big and Little Squam lakes" in lines 6 and 7, and by adding at the end of said section the words, There shall be no power trolling on Pleasant lake in New London; so that said section as amended will read:

22. *Trolling.* A person may troll for salmon and lake trout from April 15 to September 1. No person shall troll with the aid of a boat propelled by mechanical power in Lake Winnepesaukee, including that part of said lake called Lake Paugus, Lake Winnisquam, and Newfound lake, between July 1 and September 1. There shall be no power trolling on Pleasant lake in New London.

Amend chapter 202, section 16, by striking out the word "it" in line 4 and substituting therefor the word he; so that said section as amended will read:

16. *Director's Powers.* The director may take, remove or transfer fish, game, and fur-bearing animals at such times, in such manner, and from such places as he may deem proper for the protection or propagation thereof.

Amend chapter 203, section 1, by inserting after the word "do" in line 4 the words, and a license button and displaying such button; so that said section as amended will read:

1. *When Required.* No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take, or kill fresh water fish, wild birds or wild animals, in this state without first procuring a license so to do, and a license button, and displaying such button and showing such license as hereinafter provided; and then only in accordance with the terms of such license, and subject to all the provisions of this act.

Amend chapter 203, section 3, by inserting after the word "licenses" in line 1 the words, and buttons; so that said section as amended will read:

3. *Issue.* Such licenses and buttons shall be issued by the director or his agents under such rules and regulations, and in such form, as the director may prescribe, to persons sixteen years of age or over.

Amend chapter 203, section 4 by inserting after the word

“triplicate” in line 3 the words, and buttons of a size to be determined by the director bearing the license number in figures and such other inscription as may be determined by the director; so that said section as amended will read:

4. *Form.* The state treasurer shall supply the director with books containing consecutively numbered licenses in triplicate, and buttons of a size to be determined by the director bearing the license number in figures and such other inscription as may be determined by the director. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of hair and eyes, and residence of the licensee, and such other information as may be requested by the director. Such license, to be valid, must be countersigned by the licensee.

Amend chapter 203, section 7, by inserting after the word “blanks” in line 3 the words, and buttons; so that said section as amended will read:

7. *Unused Blanks.* Agents shall return to the director, within ten days after the close of the current year, all unused license blanks and buttons. The director and agents shall be held responsible to the state treasurer for the full face value of all license blanks supplied to them until settlement has been made as above provided.

Amend chapter 203, section 9, by striking out the words “after due hearing” in line 3, and by striking out the words “and without hearing” in lines 5 and 6, and by striking out all after the word “property” in line 11; so that said section as amended will read:

9. *Revocation; Suspension.* The director may order any license to be suspended or revoked, for any cause that he may deem sufficient. He may order the suspension of the license of any person in his discretion, and may order the license delivered to him or his representative whenever he has reason to believe that the holder thereof is physically or mentally an improper or incompetent person to carry firearms, or is handling firearms improperly, or so as to endanger human life or property.

Amend chapter 203, section 21, by striking out the words

“January first” in line 2 and substituting therefor the words, December thirty-first; so that said section as amended will read:

21. —. All licenses provided for in this act shall expire on December thirty-first next following their issuance, and shall not be transferable.

The reading of the amendments having commenced Mr. Guay of Laconia moved that further reading be dispensed with.

The question being on the motion of Mr. Guay.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Callahan of Keene the bill with the accompanying amendments was laid upon the table.

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

Amend the joint resolution by striking out the word, five, after the word, of, in line 1 and substituting in place thereof the word, ten.

Further amend the resolution by striking out the figures, (\$5,000) in line 2 and substituting in place thereof the figures, (\$10,000).

Further amend the resolution by striking out after the word, line, in line 5 the following, provided that the town of Salem appropriates five thousand dollars (\$5,000), and substituting in place thereof the words, by the state.

Further amend the resolution by striking out the word, sums, in line 7 and substituting in place thereof the word, sum.

Further amend the resolution by striking out the words, and by the town, in line 8 so that the resolution as amended will read as follows:

That the sum of ten thousand dollars (\$10,000) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Halls crossing to the Methuen town line by the state. Said sum appropriated by the state shall be expended under the direction of the highway commissioner



and the sum appropriated by the state shall be a charge upon the highway funds.

Mr. Mitchell of Campton moved that the House concur. The question being on the motion of Mr. Mitchell.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Callahan of Keene the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Leahy of Claremont, Lombard of Colebrook and Hoyt of Sandwich.

The message also announced that the Senate has passed the following joint resolutions, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate co-operation.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

#### SENATE JOINT RESOLUTIONS READ AND REFERRED

Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate co-operation.

Read a first and second time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

Read a first and second time and referred to the Committee on Public Improvements.

On motion of Mr. Wilson of Manchester the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second



time, laid upon the table to be printed and referred to the Committee on Judiciary.

#### PERSONAL PRIVILEGE

Mr. Courtemanche of Allentown rose to a question of personal privilege and stated that the Journal of Tuesday, May 28, recorded him as having voted Yes on the question shall House Bill No. 437, An act increasing the fees for permits to sell beverages pass, whereas he should have been recorded as having voted No.

He desired the correction made in the permanent Journal.

The Speaker assured him that the desired correction would be made.

#### SPECIAL ORDERS

Mr. Hunter of Hanover called for the special order Senate Bill No. 11, An act relating to the settlement of paupers.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

(Discussion ensued)

Mr. Ahern of Concord in the Chair

Mr. Weston of Milford moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the report of the minority be substituted for the report of the majority?

On a *viva voce* vote the motion prevailed.

Mr. Hoyt of Sandwich asked for a division.

A division being taken 221 members voted in the affirmative and 36 members voted in the negative and the motion to substitute prevailed.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Adams of Londonderry called for the special order

House Bill No. 178, An act constituting a State police force.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass with amendments?

(Discussion ensued)

The Speaker in the Chair

Mr. Lambert of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the report of the minority be substituted for the report of the majority?

On a *viva voce* vote the negative prevailed.

Mr. Callahan of Keene asked for a division.

A division being taken 141 members voted in the affirmative and 134 members voted in the negative and less than two-thirds of the members elected being present and voting and less than two-thirds of those voting having voted in either the affirmative or negative no valid action was taken and the bill went over into unfinished business.

#### RESOLUTION

Mr. Keenan of Dover offered the following resolutions:

*Resolved*, That the House has learned with sorrow of the death of our fellow representative, Fred Coffin of Ward 1, Dover, and

That the Speaker appoint a committee of five to prepare suitable resolutions upon the sad event and

That the Clerk be directed to provide a floral tribute,

*Be it further resolved*, That when the House adjourns to-day it be in memory of Fred Coffin.

THOMAS H. KEENAN,  
HALDIMAND W. NEAL,  
GEORGE W. GARLAND,  
F. CLYDE KEEFE,  
ALBERT G. POMERLEAU.

On motion of Mr. Wilson of Manchester business in order at 2 o'clock was made in order at the present time.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 303, An act to reimburse the Federal Government for emergency conservation work on state land.

House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton.

House Bill No. 422, An act to repeal the charters of certain corporations.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 449, An act to promote rural electrification.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 66, An act relating to the escheat of estates.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

## UNFINISHED BUSINESS

Mr. Adams of Londonderry called for the unfinished business House Bill No. 178, An act constituting a State police force.

The question being.

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass with amendment?

On motion of Mr. Adams of Londonderry the bill was laid upon the table and made a special order for Wednesday, June 5, at 10:02 o'clock.

On motion of Mr. Wilson of Manchester at 1 o'clock the House adjourned.

WEDNESDAY, JUNE 5, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## LEAVES OF ABSENCE

Messrs. Wylie and Brunel of Concord were granted leave of absence for the day on account of important business.

Mr. Garland of Dover was granted leave of absence for the week on account of death in family.

Mr. Keefe of Dover was granted leave of absence for the week on account of illness.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill and joint resolution:

Senate Bill No. 65, An act relating to the closing of highway crossings.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

The report was accepted.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 315, An act relative to aid for dependent mothers, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the whole of said section and inserting in place thereof the following:

2. *Maximum Amount of Aid.* Amend section 13 of said chapter 108, as inserted by chapter 145 of the Laws of 1929, by striking out the word "fifteen" in the third line and inserting in place thereof the word, eighteen; further amend by striking out the word "eight" in the fourth line and inserting in place thereof the word, twelve, so that said section as amended shall read as follows: 13. *Change in Allowance.* The state board may at any time thereafter increase or diminish the allowance, provided that the maximum allowance

shall not exceed eighteen dollars a month for the dependent mother and first child and twelve dollars a month for each succeeding child, and no change in amount shall be made until the facts have been further investigated and a record of the facts filed in the office of the secretary of the state board.

Further amend the bill by adding after section 2 the following new section: 3. *Residence*. Amend section 14 of said chapter 108 as inserted by said chapter 145 by striking out the words "two years" in the fifth line and inserting in place thereof the words, one year, so that said section as amended will read as follows: 14. *Limitations*. No aid shall be given to a mother unless (a) the child or children are living with her; (b) the mother, in the judgment of the state board is a proper person morally, physically or mentally to bring up her children; (c) she has been a resident of this state for at least one year before she applies for aid, and (d) employment, if any, in which she engages is approved by the state board. Nothing herein contained shall be construed as depriving a mother of such allowance if one or more of her children are living with her and others are living elsewhere, and the state board shall base the allowance upon the special emergencies existing.

Further amend by renumbering sections 3 and 4 to read 4 and 5.

The report was accepted, the amendments adopted and the joint resolution ordered to a third reading.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Shaw of Chichester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others, reported the same with the recommendation that the joint resolution ought to pass.



The report was accepted and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department and legislative expense, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption by striking out the whole thereof and inserting in its place the following:

Joint resolution in favor of the state treasurer's department, comptroller's department, legislative expense and state board of health.

Further amend the joint resolution by striking out all after the resolving clause and inserting in its place the following:

That the sum of forty-three thousand eight hundred and two dollars (\$43,802.) be and hereby is appropriated to meet deficits in legislative appropriations for the year ending June 30, 1935, as follows: Treasury department, personal services and current expenses, \$4,128., for bounties, \$1,829.; comptroller's department, \$1,500.; for the legislature, \$35,000.; for the state board of health, \$1,345.

The report was accepted, the amendments adopted and the joint resolution ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes, Having considered the same, reported the same with the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend chapter 66 of the Public Laws of New Hampshire, as amended by chapter 119 of the Laws of 1931, by striking out sections 17 through 39 inclusive, and inserting in place thereof the following:

17. *Taxes Constitute Lien.* The real estate of every person or corporation shall be holden for all taxes assessed

against the owner thereof; and all real estate, to whomsoever assessed, shall be holden for all taxes thereon. Said taxes shall constitute a lien against said property, and shall continue as such until action is taken in accordance with the provisions hereinafter stated.

18. *Lien Perfected.* If the owner of such real estate shall not pay the tax assessed against said real estate on or before December first next after its assessment; or if the owner shall die or remove from the town and leave there no personal estate on which distress can be made; or if such person or corporation shall neglect or refuse to expose goods and chattels whereupon distress may be made, then the town in which such real estate is located may perfect its lien in accordance with the provisions hereinafter stated.

19. *Notice.* The tax collector shall give notice of every lien by posting advertisements thereof in two or more public places in the town within eight weeks from the date upon which the tax is due, in which notice shall be stated the name of the owner or the person to whom the same is taxed, a description of the property as listed, and the amount of the tax; and said collector shall also at the same time send a like notice by registered mail to the last known postoffice address of the owner, the person against whom the tax is assessed, their representatives in interest, and any other persons who have an interest of record in the property.

20. *Report to Register.* Each tax collector, within fourteen days after such posting and mailing, shall deliver to, or forward by registered mail to, the register of deeds for the county in which the real estate is situated, a copy of the notice so posted, with an affidavit that it was so posted and that the notices above required were so mailed.

21. *Record.* The register shall record and index the same; and a copy of said record, or any other records of the register of deeds, required by this chapter, certified by the register, shall be received as evidence of the fact of notice, and the record thereof, in any court.

22. *Sale.* If all the taxes, interest, and all proper charges and costs on said property are not paid within two years from

the date the lien is perfected, any town, by its tax collector, may, if the lien has been perfected, sell the property so taxed, at public auction, in accordance with the following provisions; and such sale shall be valid and effectual to transfer the ownership of the property to the purchaser at said sale.

I. *Notice by Publication.* Notice of such sale shall be published once a week for three successive weeks in some newspaper, if there is any, published in the city or town where the said property, or some part thereof, is situated; otherwise in one published in the county in which the property is situated. In either case the first publication shall be not less than twenty-one days before the date of sale.

II. *Notice by Mail.* A copy of said notice shall be served on the owner of said property, the person against whom the tax is assessed, their representatives in interest, and any other persons who have an interest of record in said property; or sent by registered mail, addressed to said parties at their last known addresses, at least twenty-one days before said sale.

III. *Place.* The sale shall be held at the tax collector's office, or, if there is no such office in the town, then in the office of the board of selectmen.

IV. *Right to Purchase.* Any town or county, city or the state may be a purchaser at said sale.

V. *Account.* An account of all the delinquent taxes, interest, and all proper costs and charges, including costs of sale, shall be made by the tax collector, and shall be deducted from the sale price of said property; and the surplus, if any, shall be delivered immediately to the owner of said property.

23. *Return; Effect.* The town selling pursuant to the above provisions shall, within thirty days after the sale, cause a copy of the notice of the sale, and an affidavit signed by the tax collector, setting forth fully and particularly the acts in the premises, to be recorded in the registry of deeds in the county where the property is situated; and such affidavit, or a duly certified copy of the record thereof, shall be evidence on the question whether the sale was duly executed.

24. *Discharge of Lien.* Any person interested in land upon which there is a tax lien may discharge the same by

paying or tendering to the tax collector, or, in his absence, by leaving at his usual place of business, at any time before a sale of said land is held, the amount of the overdue taxes, interest, and all proper costs and charges, with ten per cent interest upon the whole amount from the date the tax becomes due to the time of payment or tender, together with any redemption costs incurred.

25. *Notice of Discharge.* If the tax, interest and charges on said property shall be paid in accordance with the provisions hereof, the tax collector shall, within fourteen days after said payment, notify the register of deeds of the county in which the real estate is situated, of the fact of such payment, the date of the same, and the party so paying.

26. *Record.* The register shall record all the facts reported to him under the provisions of this chapter, and any other facts required to be reported by the tax collectors of his county, in a book or books to be kept for that purpose. He shall keep an index thereof, showing the location of the property and the names of the owners to whom taxed, the names of delinquents, the purchasers at tax sales, and those who pay delinquent taxes. Said index may be the same as that for other records in his office, or a separate one, as each register shall determine.

27. *Collector's Fees.* The fees of tax collectors shall be as follows: For all notices required in the provisions of this act, one dollar for each delinquent taxpayer; for making the sale, one dollar for each delinquent taxpayer; for each affidavit evidencing the sale of the property, one dollar; for all notices to register of deeds, twenty-five cents. Tax collectors shall also be allowed to charge postage and sums paid to printers, publishers, and other actual and necessary expense incurred.

28. *Register's Fees.* The register of deeds shall be allowed twenty-five cents for recording the facts as to each parcel in the notice of lien, and in the report of the sale, to be advanced by the tax collector and taxed with his other fees



and charges for making the sale. Like fees shall be allowed in cases of notice of payment of delinquent taxes, to be charged and collected in the same manner.

29. *Penalty.* If any collector shall demand or take any other or greater fees than are by law allowed for any of the services by him rendered, he shall forfeit five dollars.

30. *Definition of Real Estate.* Any separate interest in land, and any buildings, timber or wood standing or growing on land owned by another person, shall be taken to be real estate, within the meaning of this chapter.

31. *Contested Sale.* When the validity of a tax sale is contested, or the holder of property purchased at a tax sale desires to quiet his, or its, title to the property so sold, the superior court, upon petition, notice to all parties in interest, and hearing, shall make such orders and enter such judgment as justice requires.

2. *Takes Effect.* All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect upon its passage, but it shall not affect the procedure relating to taxes now overdue.

The report was accepted.

The reading of the amendment having commenced Mr. Graf of Manchester moved that the further reading be dispensed with.

The question being on the motion of Mr. Graf.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The amendment was then adopted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred Senate Bill No. 26, An act relative to glaring head lights on motor vehicles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out in line 7 the words "thirty-two candle power," and substituting therefor the words:



"that approved by the commissioner" so that said section as amended shall read as follows:

1. *Motor Vehicle Head Lamps.* Amend chapter 103 of the Public Laws by adding after section 8 the following new section: 8-a. *Use of Certain Lights Prohibited.* If any person shall use any electric bulb or other lighting device for use in motor vehicle head lamps on the highway of this state of a greater capacity than that approved by the commissioner, the same shall be fined not more than fifty dollars.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sullivan of Manchester for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sanderson of Pittsfield for the Committee on Appropriations, to whom was referred House Joint Resolution No. 111, Joint resolution to compensate unseated members, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barrett of Portsmouth for the Committee on Appropriations, to whom was referred House Joint Resolution No. 153, Joint resolution in favor of Benjamin M. Chandler, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred House Bill No. 427, An act to provide for the acquisition by the State of the summit of

Mount Washington and other properties, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Bill No. 295, An act creating a probation department for the more efficient administration of justice, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution reported by the committee.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution reported by the committee.

On a *viva voce* vote the resolution was adopted.

Mr. Davis of Conway asked for a division.

A division being taken 203 members voted in the affirmative and 68 members voted in the negative and the resolution reported by the committee was adopted.

Mr. Whitcomb of Dalton for the Committee on Appropriations, to whom was referred House Bill No. 294, An act relating to neglected and delinquent children, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Committee of Conference, to whom was referred House Bill No. 306, An act to create a fish and game commission and define its powers and duties, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its posi-

tion in adopting its amendments and that the following amendments to the bill be adopted:

MAURICE G. WILEY,  
JOHN E. BARRETT,  
*Senate Conferees.*

ALLAN M. WILSON,  
ALFRED L. GUAY,  
WILLIAM J. AHERN,  
*House Conferees.*

Amend section 2 by striking out the whole thereof and substituting therefor the following:

2. *Appointment.* There shall be a fish and game commission of five members, each well informed on the subject of wild life conservation and restoration, appointed by the governor with the advice of the council. Not more than three commissioners shall be of the same political party. One member shall be a resident of either Coos or Carroll county, another of either Grafton or Sullivan county, another of either Merrimack or Belknap county, another of either Rockingham or Strafford county and another of either Cheshire or Hillsborough county. If a vacancy shall occur in said commission, it shall be filled in the same manner for the unexpired term.

Amend section 6 by striking out the whole thereof and substituting therefor the following:

6. *Quorum.* A majority of the members shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power, except that in any action upon the appointment or removal of the director, a majority of the commission must act affirmatively. At least ten days' notice in writing shall be given to all members of any meeting.

Amend section 8 by striking out the whole thereof and substituting therefor the following:

8. *How Chosen; Duties.* The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration

of the wild life resources of the state. He shall serve for an indefinite term, at the pleasure of the commission. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall execute and file with the state treasurer a bond to the state in the sum of ten thousand dollars for the faithful performance of his duties. He shall have general supervision and control of all activities, functions, and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals and birds, and shall exercise all necessary powers incident thereto.

Amend section 11 by striking out the whole thereof and substituting therefor the following:

11. *Powers and Duties.* Rules, regulations and orders of the director shall be published in the following manner: Those having general application throughout the state shall be published at least once in some newspaper published in and having a general circulation throughout the state; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality where such rules, regulations, and orders are applicable; but, if no such newspaper is so published or circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations, and orders may also be given such other publicity as the director may deem desirable. The fish and game commission or the director shall release at such time as they deem advisable for newspaper and other publications the



number and size of fish planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this act as he deems is reasonable and just.

Amend section 15 by striking out the whole thereof and substituting therefor the following:

15. *Cooperation.* The director shall enter into cooperation with the departments of the Federal government and of this and all other states, for the protection, propagation and preservation of fish, game and fur-bearing animals in this state, and shall execute all matters pertaining thereto, including a biological survey of the state.

Amend paragraph (i) of section 18 by striking out the whole thereof and substituting therefor the following:

(i) To seize all fishing tackle, guns, shooting and hunting paraphernalia, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Amend section 21 by striking out the whole thereof and substituting therefor the following:

21. *Removals, Only for Cause.* No conservation officer or superintendent of hatcheries in the service of this department shall be removed therefrom except for such cause as will promote the efficiency of said service, and for reasons given in writing by the director, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing, and furnishing affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the director; and copies of charges, notice of a hearing, answer, reasons for removal, and of the order of removal, shall be made a part of the records of this department, as



shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected, upon request.

Amend section 29 by striking out the whole thereof and substituting therefor the following:

29. *Control of Expenditures.* The commission shall govern the financial policies of the department, and shall fix the budget for the operation and maintenance of its work for each fiscal year, which budget shall not be exceeded by the director. The fish and game fund shall be used and expended only for such purposes as the commission may direct. The director shall not contract any indebtedness or obligation beyond the funds available, or presently to be available, for his use.

Amend said bill by adding after section 23 the following new subdivisions:

#### SPECIAL AREAS IN WHITE MOUNTAIN NATIONAL FOREST

24. *Authority for Establishment.* The forest service of the United States department of agriculture is hereby authorized to make reasonable rules and regulations for the protection of game and other animals, birds and fish on such area or areas in the White Mountain forest reserve as shall be designated from time to time by said forest service with the written approval of the commission. Said areas shall be designated as areas for the propagation, rearing and protection of fish and game and other wild life. A description of said area or areas and a plan or map thereof shall be filed in the office of said commission.

25. *Limitation.* At no time shall the areas designated as in section 24 exceed one hundred thousand acres, in total.

26. *Posting.* A copy of any rule or regulation made under the provisions of section 24, attested by an official or employee of said forest service, shall be posted on the designated area to which said rules and regulations are made applicable and a like copy, with affidavit of posting thereon shall be filed for record in the office of the commission and in the office of the secretary of state.

27. *Penalty.* Whoever shall violate any rule or regulation made pursuant to the provisions of section 24 and posted and filed as provided for herein shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

28. *Application of Laws.* During the period any such rules or regulations shall be in force the laws of the state relative to fish and game inconsistent therewith shall be suspended.

Amend said bill by renumbering sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 to be respectively sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39.

The reading of the amendments having commenced Mr. Wilson of Manchester moved that further reading be dispensed with.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Guay of Laconia the report of the Committee of Conference was adopted.

Mr. Kiniry of Walpole for the special committee consisting of the delegation from the county of Cheshire to whom was referred House Bill No. 429, An act regarding the compensation of county commissioners, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the entire section and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage, but the increases provided for Cheshire county commissioners and for the clerk of the board of county commissioners of Cheshire county, shall apply until April 1, 1937.

The report was accepted.

The undersigned, a minority of the special committee consisting of the delegation from the county of Cheshire, to whom was referred House Bill No. 429, An act regarding the compensation of county commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM J. CALLAHAN,  
CARL H. ROCHE,  
WILLIAM E. HETHERMAN,  
JERRY J. KEATING,

*A minority of the Committee.*

Mr. Callahan of Keene moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. Callahan demanded the yeas and nays.

Mr. Leahy of Claremont moved that the House adjourn.

The question being on the motion of Mr. Leahy.

Mr. Wilson of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Leahy withdrew his motion to adjourn.

Mr. Callahan of Keene withdrew his demand for the yeas and nays and asked for a division.

A division being taken 20 members voted in the affirmative and 198 members voted in the negative and the motion to substitute did not prevail.

Mr. Callahan demanded the yeas and nays and the roll was called with the following result:

YEAS, 20

ROCKINGHAM COUNTY: None.

STRAFFORD COUNTY: Pomerleau, Durkin.

BELKNAP COUNTY: Guay, Simpson of Laconia, Neal of Meredith, Wallis.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Matott, Lee, Lemire, Sanborn.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Gage, Gelinias of Manchester.

CHESHIRE COUNTY: Chickering, Callahan, Keating, Roche.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Averill.

COOS COUNTY: Sullivan of Berlin.

## NAYS, 225

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Fitts, Fogg, Abbott of Derry, Hepworth, Benton, Russell of Exeter, Stevenson, Carlton, Perkins of Hampton, Janvrin, Lyford, Adams of Londonderry, Pickering, Estabrook of Newton, Marston of North Hampton, Peaslee of Plaistow, Dondero, Kittredge, Allen, Pray, Tucker, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Eliot of Raymond, Manor, Adams of Seabrook, Floyd, Chase, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Chabot, Henderson of Durham, Lefavour, Tanner, Gotts, Emerson of Rochester, Turcotte of Rochester, Greenfield, Seavey, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Page, Beane of Laconia, Dodge, Hoyt of Laconia, Stafford, Cantin, Merrill of Laconia, Dow, Plastridge, Smart.

CARROLL COUNTY: Simpson of Bartlett, Mudgett, Russell of Conway, Gale, Winkley, Hoyt of Sandwich, Hilliard, Young, Hart.

MERRIMACK COUNTY: Courtemanche, Munroe, Reardon, Tallman, Shaw, Coakley, Robinson of Concord, Kemp, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Maxham, Ahern, Demers, Stobie, Ball, Colburn, Shepard, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Putnam of Antrim, Locke of Deering, Matheson, Sym, Charois, Boynton, Craine, Wilson of Hollis, Reid of Litchfield, Emery, Knowlton, Wilson of Manchester, Graf, McIntire, Dwyer, O'Reilly, Talty, Clougherty, Corey, Creighton, Healy of Manchester, Ward 5, Sweeney of Manchester, Ward 5, Healy of Manchester, Ward 6, Cote, Turcotte of Manchester, Moran of Manchester, Driscoll, Kearns, Van Vliet, Aubin, Letendre of Manchester, Soucy, Daniel of Manchester, Ward 13, Barnes, Maker, Howison, Wadleigh, Weston, Woods, Woodbury, Danforth of Nashua, Bernard, Barry of Nashua, Dugan, Maynard, Fournier, Ravenelle, Maddox, Burque, Cormier, Glynn, Baker, Thompson of New Ipswich, Jones of Pelham, Mercer, Peaslee of Weare, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Appleton, Firmin, Hanson, Clark, Kimball, Hammond, Perry of Jaffrey, Jones of Keene, Gates, Spaulding, Wardwell, Wiswall, Huntley, Bullock, Randall, Graves, Kiniry, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Daly, Etsler, Hosking, Leahy, Stetson, Thomas, Gaffney, Cutting, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Mitchell, Graham, Bowles, Hardy, Putnam of Hanover, Merrill of Haverhill, Marden, Hathorn, Hoyt of Lebanon, McNamara, Perley, Bishop, Parker, Astle, Simpson of Littleton, Lufkin, Merrill of Plymouth, Cook, Sawyer of Woodstock.

COOS COUNTY: Bagley, Barden, Smith of Berlin, Henderson of Berlin, Brungot, Dahl, Martel, Bixby, Dugas, Lombard, Ramsay, Gray, Whitcomb, Stiles, Chandler of Gorham, Morris, Thompson of Lancaster, Hancock, Marshall, Judd, Fuller of Stewartstown, Fuller of Stratford.  
and the motion to substitute did not prevail.

Mr. Leahy of Claremont moved that the House adjourn but subsequently withdrew his motion.

The amendment was then adopted and the bill ordered to a third reading.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 48, Joint resolution in favor of Alfred Pellerin.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.



The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 306, An act to create a fish and game commission and to define its powers and duties, and the President named on the part of the Senate, Senators Condon and Carter.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill and joint resolution:

Senate Bill No. 65, An act relating to the closing of highway crossings.

Senate Joint Resolution No. 10, Joint resolution for the improvement of the Brownfield road in the town of Eaton.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 206, An act relating to State, county and municipal contracts.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

Amend section 8 of said bill by striking out the words "and of the laws of this state dealing with policies and provisions covered by said compact" the second time it appears in the first sentence of said section.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 426, An act relating to railroads and public utilities.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the operation of a toll road as a public utility.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 56, An act relating to liability of towns.

Amend said bill by adding after section 3 the following new section:

4. *Takes Effect.* This act will take effect upon its passage.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following: 1. *Aerial Tramway.* For the purpose of constructing an aerial tramway on Cannon mountain in the Franconia notch and for the further purpose of maintaining and operating the same together with the necessary appurtenances thereof after construction, there is hereby created an agency of the state composed of a commission of five members, not more than three of whom shall be of the same political party, to be known as the New Hampshire Aerial Tramway Commission, hereinafter called the commission, composed of the comptroller ex-officio and four members to be appointed by the governor with the advice and consent of the council. The term of office of the first appointive members shall be one, two, three and four years respectively. The length of the term of each to be fixed in his commission and he shall continue in office until

his successor has been appointed and qualified. Thereafter each year, beginning in the year 1936, one member of said commission shall be appointed for a term of four years. If a vacancy shall occur in said commission, it shall be filled for the remainder of the term. The members of the commission shall serve without compensation except that they shall be reimbursed for their actual expenses while engaged in the business of the commission. The majority of the commission shall constitute a quorum.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 373, An act in relation to emergency public works.

Amend said bill by striking out all of section 4 and inserting in place thereof the following:

4. *Authorization of a Public Works Project and Bonds by a Town.* The construction of a public works project and the issue of bonds for the purpose of financing the cost thereof by a town shall be authorized by a vote of two-thirds of the qualified voters of such town present and voting on the question at a meeting of such town called for such purpose. Nothing in this section shall be construed to prevent action at such meeting upon any other lawful matter, the subject of which has been duly set forth in the warning calling such meeting.

Further amend said bill by striking out all of section 11 and inserting in place thereof the following:

11. *Authorization of Construction of Public Works Project and Issue of Bonds at Municipal Meeting.* Any public works project may be authorized to be constructed and bonds

may be authorized to be issued by any municipality pursuant to the provisions of this act by a vote of two-thirds of the qualified voters of such municipality present and voting on the proposition at any meeting of such voters of such municipality, duly warned for such purpose and held under the provisions of any existing law.

On motion of Mr. Ahern of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate has voted to reconsider the vote whereby the Senate concurred in the amendment sent up from the House of Representatives on Senate Bill No. 22, An act relating to lights and parking of motor vehicles and offered the following amendments in the adoption of which it asked the concurrence of the House of Representatives.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Motor Vehicles.* Amend chapter 103 of the Public Laws by adding after section 7 the following new section:

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2. *Lights.* Amend chapter 103 of the Public Laws by adding after section 16-a, as inserted by chapter 76 of the Laws of 1927, the following new sections:

Amend Section 16c by striking out all thereof and inserting in place thereof the following, "Oil Burning Lights and Flares. Every truck, buss or tractor when operated outside of the lighted area of towns or cities, except when stopping momentarily, under conditions as described in section 16b, must in addition place one oil burning light or flare one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall when operated outside of the lighted area of towns or cities be required to carry oil burning lights or flares of a type to be approved by the commissioner of motor vehicles," so that said section as amended shall read as follows:



*Oil Burning Lights and Flares.* Every truck, buss or tractor when operated outside of the lighted area of towns or cities, except when stopping momentarily, under conditions as described in section 16b, must in addition place one oil burning light or flare one hundred feet in front and another one hundred feet in the rear of such vehicle. And all such vehicles shall when operated outside of the lighted area of towns or cities be required to carry oil burning lights or flares of a type to be approved by the commissioner of motor vehicles.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 69, An act relating to observance of the Lord's Day.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 69, An act relating to observance of the Lord's Day.

The bill was read a first and second time and referred to the Committee on the Revision of the Statutes.

Mr. Kearns of Manchester moved that the bill be indefinitely postponed.

The question being on the motion of Mr. Kearns.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. Ahern of Concord asked for a division and with the request for a division pending moved that the bill be laid upon the table and made a special order for Tuesday, June 11, at 10:02 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Ahern of Concord asked for a division.

A division being taken 66 members voted in the affirma-



tive and 159 members voted in the negative and the motion did not prevail.

Mr. Ahern of Concord demanded the yeas and nays and with the demand pending moved that the bill be laid upon the table and made a special order for Tuesday, June 11, at 10:03 o'clock.

(Discussion ensued as to time)

Mr. Ahern withdrew his demand for yeas and nays and the bill was indefinitely postponed.

#### TAKEN FROM THE TABLE

On motion of Mr. Guay of Laconia House Bill No. 305, An act to revise and amend the fish and game laws was taken from the table.

The question being

Shall the reading of the amendments sent down from the Senate be dispensed with?

On motion of Mr. Guay of Laconia the House voted to non-concur in the amendments and asked for a Committee of Conference.

The Speaker appointed as members of such committee Messrs. Guay of Laconia, Stobie of Hooksett, and Mitchell of Campton.

#### SPECIAL ORDERS

Mr. Kearns of Manchester called for the special order House Bill No. 113, An act relating to weight of motor vehicles.

The question being

Shall the bill be indefinitely postponed?

Mr. Kearns of Manchester moved that the bill be laid upon the table and made a special order for Tuesday, June 11, at 10:01 o'clock.

The question being on the motion of Mr. Kearns.

(Discussion ensued as to time)

On motion of Mr. Stevenson of Exeter the Sergeant-at-Arms was directed to apprehend the missing members and cause them to return to the House.

The question being on the motion of Mr. Kearns of Manchester.

On a *viva voce* vote the motion prevailed.

Mr. Ahern of Concord called for the special order House Bill No. 178, An act constituting a State police force.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

Mr. Ahern of Concord moved that the bill be laid upon the table and made a special order for Tuesday, June 11, at 10:02 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Ahern of Concord asked for a division.

A division being taken 131 members voted in the affirmative and 105 members voted in the negative and less than two-thirds of the members elected being present and voting and less than two-thirds of those voting having voted in either the affirmative or negative no valid action was taken and the bill went over into unfinished business.

On motion of Mr. Kearns of Manchester business in order at 2 o'clock was made in order at the present time.

On motion of Mr. Guay of Laconia:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 10 o'clock.

#### THIRD READINGS

On motion of Mr. Osborne of Sunapee the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes.

House Bill No. 315, An act relative to aid for dependent mothers.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

House Joint Resolution No. 159, Joint resolution in favor

of State treasurer's department, comptroller's department, legislative expense, and State board of health.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 26, An act relative to glaring headlights on motor vehicles.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

Read a third time and passed and sent to the Secretary of State to be engrossed.

House Bill No. 429, An act regarding the compensation of county commissioners.

Read a third time.

The question being: Shall the bill pass?

Mr. Callahan of Keene moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

Mr. Callahan asked for a division.

A division being taken 18 members voted in the affirmative and 95 members voted in the negative and a quorum of the House not being present at 12:55 o'clock the House was declared adjourned, the bill going over into unfinished business.

---

THURSDAY, JUNE 6, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Mr. Sturtevant of Concord was granted leave of absence for the day on account of important business.

Mr. Guyer of Hanover was granted leave of absence until Wednesday, June 12, on account of jury duty.

## LETTER FROM THE SPEAKER

The following letter was read from the Speaker:

Concord, N. H., June 6, 1935.

MR. WILLIAM J. AHERN,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session this morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

## RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns today it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

## NOTICE OF RECONSIDERATION

Mr. Hoyt of Sandwich gave notice that on tomorrow or some subsequent day he should move to reconsider the vote whereby House Bill No. 224, An act relating to disposal of profits obtained by towns through sale of real estate bought for taxes, was passed.

## COMMITTEE REPORTS

Mr. Carroll of Laconia for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 131, An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch.

The report was accepted.

Mr. Varney of Alton for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill, reported the same

with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by adding at the end thereof the words, and shall be a charge upon the highway funds, so that said joint resolution as amended will read as follows:

That for the year 1935 the sum of \$6000 be and hereby is appropriated for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill making a connecting link between Route 112 to the Benton road. The sum appropriated shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Beane of Laconia for the Committee on Military Affairs, to whom was referred House Joint Resolution No. 131, Joint resolution for the assistance of war veterans in obtaining such rights and privileges as they may be entitled to by law, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 432, An act increasing the tax on legacies and successions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Normal Schools, to whom was referred House Bill No. 438, An act relating to Plymouth Normal school, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 451, An act relating to



the State board of health, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 456, An act imposing a tax upon the sale of electricity, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Boynton of Hillsborough the bill was referred to a special committee consisting of the Committees on Judiciary and Ways and Means.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 420, An act relating to clerk hire in the probate office of Grafton county.

House Joint Resolution No. 144, Joint resolution establishing a commission for the study of occupational diseases in New Hampshire.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 64, An act amending an act relating to banks approved March 26, 1935.

House Bill No. 301, An act relating to the public service commission.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for

a Committee of Conference on House Bill No. 336, An act relating to public employment of veterans, and the President had named on the part of the Senate, Senators Condon and Carter.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 206, An act relating to State, county and municipal contracts, and the President had named on the part of the Senate, Senators Condon and Carter.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 67, An act relating to municipal lighting systems, and the President had appointed as conferees on the part of the Senate, Senators Cole and Manson.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 281 (new draft and new title), An act requiring toilet facilities in restaurants and other public eating places, and the President had appointed as conferees on the part of the Senate, Senators Brown and Wiley.

The message further announced that the Senate refused to concur in the amendment sent up from the House of Representatives to Senate Bill No. 66, An act relating to the escheat of estates, and asked for a Committee of Conference, and the President had named as conferees on the part of the Senate, Senators Marston and McLeod.

On motion of Mr. Osborne of Sunapee the House voted to accede to the request of the Honorable Senate and the Speaker appointed as members of the committee on the part of the House Messrs. Smart of Tilton, Pillsbury of Derry, and Woods of Mont Vernon.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

#### SENATE BILLS READ AND REFERRED

Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt.

Read a first and second time and referred to the Committee on Fisheries and Game.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation, and sale of certain alcoholic beverages.

Read a first and second time and referred to the Committee on Liquor Laws.

#### COMMITTEE REPORT

On motion of Mr. Leahy of Claremont the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Hunter of Hanover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris M. Freeman, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Leahy of Claremont the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

## PERSONAL PRIVILEGE

Mr. Buffum of Dunbarton rose to a question of personal privilege and roundly scored those members who remained away from the sessions.

## NOTICE OF RECONSIDERATION

Mrs. Brungot of Berlin gave notice that on tomorrow or some subsequent day she would move to reconsider the action of the House whereby it voted it inexpedient to legislate on Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin.

Mr. Banfield of Moultonborough gave notice that on tomorrow or some subsequent day he should move to reconsider the action of the House whereby it voted to indefinitely postpone Senate Bill No. 69, An act relating to observance of the Lord's Day.

Mr. Leahy of Claremont moved that the vote be reconsidered at the present time, but subsequently withdrew his motion.

## RESOLUTIONS

Mr. Boutwell of Concord offered the following resolution:

WHEREAS, The late Arthur Putnam Morrill served the State of New Hampshire with distinction as a member of the Constitutional Convention of 1912; as a member of the House of Representatives in 1915; as Speaker of the House in 1917; as President of the Senate in 1919; and as Executive Councilor in 1923 and 1924; and,

WHEREAS, His interest in the public welfare was active and helpful throughout a life which was filled with valuable service as a good citizen and able official;

*Be it resolved*, That the House of Representatives hereby expresses its appreciation of the fine qualities of head and heart which endeared him to a wide circle of friends and

gained for him the esteem of the entire state; and that we extend to his family sincere sympathy in their bereavement.

ARTHUR J. BOUTWELL,  
HAROLD H. BLAKE,  
ROBERT O. BLOOD,  
ALLEN M. FREEMAN,  
WILLIAM J. AHERN.

The resolutions were unanimously adopted by a rising vote.

### COMMITTEE REPORT

On motion of Mr. Osborne of Sunapee the rules were suspended to allow for the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 457, An act relating to State building, with the recommendation that the bill be referred to a joint committee consisting of the Committee on Appropriations and the Committee on Judiciary.

The report was accepted and the bill read a first and second time and laid upon the table to be printed.

On motion of Mr. Osborne of Sunapee the bill was referred to a joint committee consisting of the Committees on Judiciary and Appropriations.

Mr. Smart of Tilton moved that business in order at 2 o'clock be made in order at the present time.

On a *viva voce* vote the motion did not prevail.

Mr. Stevenson of Exeter moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Callahan of Keene business in order at 2 o'clock was made in order at the present time.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 432, An act increasing the tax on legacies and successions.



Read a third time and passed and sent to the Senate for concurrence.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Read a third time and passed and sent to the Senate for concurrence in the amendments.

On motion of Mr. Stevenson of Exeter at 12:55 o'clock the House adjourned.

---

FRIDAY, JUNE 7, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., June 7, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.

---

MONDAY, JUNE 10, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., June 10, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,  
*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

---

TUESDAY, JUNE 11, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Messrs. Brunel of Concord and Boynton of Hillsborough were granted leave of absence for the day on account of important business.

Mr. Fournier of Nashua was granted leave of absence for Tuesday and Wednesday on account of important business.

Messrs. Barnard of Manchester and Goodwin of Bethlehem were granted leave of absence for the week on account of important business.

#### COMMITTEE REPORT

Mr. Henderson of Durham for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 206, An act relating to State, county and municipal contracts.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

The report was accepted.

On motion of Mr. Stevenson of Exeter the rules were suspended to allow the taking up of special orders and unfinished business before the regular order.

On motion of the same member each speaker was limited to five minutes for debate for the remainder of the session.

#### SPECIAL ORDER

Mr. Kearns of Manchester called for the special order House Bill No. 113, An act relating to weight of motor vehicles.

The question being

Shall the bill be indefinitely postponed?

At 10:35 o'clock the House took a recess for 6 minutes.

(After recess)

The consideration of House Bill No. 113, An act relating to weight of motor vehicles was resumed.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the bill be indefinitely postponed?

On a *viva voce* vote the negative prevailed.

The question being: Shall the bill pass?

On a *viva voce* vote the affirmative prevailed.

Mr. Hoyt of Sandwich demanded the yeas and nays and the roll was called with the following result.

#### YEAS, 217

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Stevens of Candia, Fitts, Fogg, Abbott of Derry, Pillsbury, Foss, Benton, Russell of Exeter, Stevenson, Carlton, Lyford, Adams of Londonderry, Turcotte of Newmarket, Estabrook of Newton, Marston of No. Hampton, Mudge, Peaslee of Plaistow, Dondero, Kittredge, Marston of Rye, Manor, Adams of Seabrook, Chase.

STAFFORD COUNTY: Keenan, Pomerleau, Chabot, Durkin, Garland, Neal of Dover, Hall of Dover, Keefe, McDonough of Dover, Durnin, Henderson of Durham, Gelinis of Farmington, Elliott of Madbury, Tanner, Gotts, Emerson of Rochester, Brennan, Cartier, Bergeron, Turcotte of Rochester, Dickinson, Tighe, Lagueux, Hodsdon, Boucher, Flanagan, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Piper of Belmont, Dodge, Carroll, Stafford, Cantin, Dow, Simpson of Laconia, Gordon.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Russell of Conway, Gale, Banfield.

MERRIMACK COUNTY: Courtemanche, Munroe, Reardon, Morgan, Danforth of Bradford, Tallman, Coakley, Robinson of Concord, Kemp, Boutwell, Mansur, Dame, Nash, Saltmarsh, Tilton, Maxham, Wylie, Lee, Ahern, Ford, Buffum, Demers, Piper of Franklin, Carignan, Lemire, Peaslee of Henniker, Shepard, Warren, Sanderson, Connor.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Gilson, Locke of Deering, Avery, Matheson, Sym, Charois, Craine, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Wilson of Manchester, Gage, Graf, McIntire, Dwyer, O'Reilly, Talty, Tobin, Corey, Mahoney of Manchester, Ward 4, Clancy of Manchester, Ward 5, Creighton, O'Brien, Sweeney of Manchester, Ward 5, Charland, Cote, Peloquin, Bolton, Bouthiette, Gelinas of Manchester, Holleran, McDonough of Manchester, Moran of Manchester, Richard, Driscoll, Levallee, Gallagher, Gaudreault, Kearns, McLaughlin, Roukey, Van Vliet, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Daniel of Manchester, Ward 13, Lambert, Barnes, Maker, Wadleigh, Weston, Woods, Winslow, Woodbury, Danforth of Nashua, Francoeur, Bernard, Letendre of Nashua, Barry of Nashua, Dion, Moran of Nashua, Ravenelle, Hough, Lavigne, Maddox, Burque, Cormier, Glynn, Bouthillier, Desmarais, Baker, Thompson of New Ipswich, Mercer, Heald.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Appleton, Hanson, Clark, Perry of Jaffrey, Callahan, Keating, Jones of Keene, Gates, Hilton, Spaulding, Wardwell, Roche, Wiswall, Huntley, Rice, Granger, Perry of Swanzeey, Randall, Graves, Kiniry, Britton, Read of Winchester.

SULLIVAN COUNTY: Leahy, Gaffney, Reney, Barton, Osborne, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Remick, Mitchell, Bowles, Merrill of Haverhill, Marden, Hathorn, Millen, Perley, Burgault.

COOS COUNTY: Sullivan, Brungot, Martel, Bixby, Dugas, Lombard, Ramsay, Stiles, Willis, Judd, Fuller of Stewarts-town.

## NAYS, 111

ROCKINGHAM COUNTY: Thayer, Cilley, Little of Hampstead, Perkins of Hampton, Barrett, Allen, Pray, Tucker, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Floyd, Emerson of Windham.

STRAFFORD COUNTY: Howard of Dover, Lefavour, Greenfield, Seavey.

BELKNAP COUNTY: Varney, Little of Barnstead, Hunt, Page, Guay, Alfred L. of Laconia, Hoyt of Laconia, Merrill of Laconia, Neal of Meredith, Wallis, Smart.

CARROLL COUNTY: Lyman, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young.

MERRIMACK COUNTY: Shaw, Matott, Blood, Blake, Donovan, Dempsey, Lafond, Stobie, Vancore, Turgeon, Perkins of Pittsfield, Sanborn, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Wilson of Hollis, Emery, Knowlton, Fitzgerald, Booth, Healy of Manchester, Ward 6, Jordan, Sullivan of Manchester, Farrell, Howison, Dugan, Jones of Pelham, Peaslee of Weare.

CHESHIRE COUNTY: Firmin, Hammond, Bullock.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Daly, Etsler, Quimby, Thomas, Johnson, Cutting, Bailey, Cummings of Newport.

GRAFTON COUNTY: Graham, Hardy, Williams, Guyer, Hunter, Putnam of Hanover, Keyser, Scruggs, Hoyt of Lebanon, McNamara, Legassie, Bishop, Parker, Astle, Lewis, Simpson of Littleton, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bagley, Barden, Mason, Smith of Berlin, Ordway, Palmer, Dahl, Myler, Whitcomb, Chandler of Gorham, Morris, Hancock, Cole, Marshall, Fuller of Stratford.

## PAIRS

Sturtevant of Concord voting yes paired with Bean of Franklin voting no.

Pierce of Bennington voting yes paired with Brunel of Concord voting no.



And the bill passed and was sent to the Senate for concurrence.

## RECONSIDERATION

Mr. Kearns of Manchester moved that the vote whereby House Bill No. 113, An act relating to weights of motor vehicles, was passed be reconsidered.

On a *viva voce* vote the negative prevailed.

## UNFINISHED BUSINESS

Mr. Appleton of Dublin called for the unfinished business House Bill No. 429, An act regarding the compensation of county commissioners.

The question being: Shall the bill pass?

(Discussion ensued)

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

Mr. Neal of Meredith called for the unfinished business House Bill No. 178, An act constituting a State police force.

Mr. Lambert of Manchester moved that the House reconsider its vote whereby the previous question was ordered.

On a *viva voce* vote the motion did not prevail.

The question being

Shall the report of the minority that it is inexpedient to legislate be substituted for the report of the majority that the bill ought to pass?

Mr. Neal of Meredith demanded the yeas and nays and the roll was called with the following result:

## YEAS, 162

ROCKINGHAM COUNTY: Fitts, Fogg, Abbott of Derry, Foss, Thayer, Benton, Cilley, Russell of Exeter, Carlton, Lyford, Estabrook of Newton, Peaslee of Plaistow, Barrett, Pray, Marston of Rye, Floyd.

STRAFFORD COUNTY: Keenan, Pomerleau, Chabot, Durkin, Howard of Dover, Garland, Neal of Dover, Hall of Dover, Keefe, McDonough of Dover, Gelinas of Farmington, Le-favour, Elliott of Madbury, Tanner, Emerson of Rochester,

Cartier, Dickinson, Tighe, Lagueux, Hodsdon, Boucher, Flanagan, Robinson of Somersworth.

BELKNAP COUNTY: Dodge, Guay, Carroll, Stafford, Wallis.

CARROLL COUNTY: Lyman, Winkley, Weeks.

MERRIMACK COUNTY: Munroe, Morgan, Tallman, Coakley, Matott, Kemp, Mansur, Blake, Dame, Tilton, Maxham, Lee, Ahern, Ford, Demers, Piper of Franklin, Carignan, Lemire, Bean of Franklin, Dempsey, Shepard, Turgeon, Warren, Perkins of Pittsfield, Sanderson, Sanborn, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Hodgman, Gilson, Locke of Deering, Craine, Gage, Dwyer, O'Reilly, Tobin, Corey, Betley, Clancy of Manchester, Ward 5, Creighton, Bouthiette, Moran of Manchester, Gallagher, McLaughlin, Van Vliet, Maker, Dugan, Maddox, Glynn, Bouthillier, Baker, Jones of Pelham, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Firmin, Clark, Callahan, Keating, Jones of Keene, Gates, Roche, Wiswail, Granger, Perry of Swanzey, Britton.

SULLIVAN COUNTY: Hutchins, Chandler of Claremont, Daly, Etsler, Quimby, Thomas, Gaffney, Johnson, Reney, Bailey, Cummings of Newport, Osborne.

GRAFTON COUNTY: Remick, Graham, Bowles, Hardy, Sawyer of Franconia, Williams, Putnam of Hanover, Merrill of Haverhill, Scruggs, Hathorn, Hoyt of Lebanon, McNamara, Perley, Legassie, Parker, Lewis, Burgault, McLean, Merrill of Plymouth, Cook, Sawyer of Woodstock.

COOS COUNTY: Bagley, Barden, Mason, Smith of Berlin, Palmer, Sullivan of Berlin, Bixby, Myler, Lombard, Whitcomb, Chandler of Gorham, Willis, Hancock, Judd, Fuller of Stewartstown.

#### NAYS, 174

ROCKINGHAM COUNTY: Dagan, Stevens of Brentwood, Stevens of Candia, Pillsbury, Stevenson, Little of Hampstead, Perkins of Hampton, Adams of Londonderry, Turcotte of Newmarket, Marston of North Hampton, Mudge, Dondero,

Allen, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Manor, Adams of Seabrook, Chase, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Henderson of Durham, Gotts, Bergeron, Turcotte of Rochester, Greenfield, Seavey, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Piper of Belmont, Hunt, Page, Cantin, Merrill of Laconia, Dow, Simpson of Laconia, Gordon, Neal of Meredith, Smart.

CARROLL COUNTY: Simpson of Bartlett, Davis, Mudgett, Gale, Banfield, Hoyt of Sandwich, Hilliard, Young.

MERRIMACK COUNTY: Courtemanche, Reardon, Danforth of Bradford, Shaw, Robinson of Concord, Blood, Boutwell, Nash, Saltmarsh, Buffum, Peaslee of Henniker, Lafond, Vancore.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Avery, Matheson, Sym, Charois, Crowell, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Graf, McIntire, Clougherty, Fitzgerald, Mahoney of Manchester, Ward 4, O'Brien, Sweeney of Manchester, Ward 5, Booth, Clancy of Manchester, Ward 6, Healy of Manchester, Ward 6, Jordan, Sullivan, Charland, Cote, Farrell, Peloquin, Bolton, Gelinas of Manchester, Richard, Driscoll, Levallee, Gaudreault, Kearns, Roukey, Aubin, Blanchette, Desruisseaux, Letendre of Manchester, Soucy, Daniel of Manchester, Ward 13, Lambert, Lariviere, Barnes, Howison, Wadleigh, Weston, Woods, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur, Bernard, Letendre of Nashua, Barry of Nashua, Dion, Moran of Nashua, Ravenelle, Hough, Lavigne, Burque, Cormier, Desmarais, Thompson of New Ipswich, Mercer, Heald.

CHESHIRE COUNTY: Appleton, Hanson, Hammond, Perry of Jaffrey, Hilton, Spaulding, Wardwell, Huntley, Bullock, Rice, Randall, Graves, Kiniry, Read of Winchester.

SULLIVAN COUNTY: Leahy, Cutting, Barton, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Mitchell, Guyer,

Hunter, Keyser, Marden, Millen, Bishop, Astle, Simpson of Littleton, Grant, Lufkin, Averill.

COOS COUNTY: Ordway, Brungot, Dahl, Martel, Dugas, Ramsay, Stiles, Morris, Cole, Marshall, Fuller of Stratford.

Donovan of Concord voting yes paired with Connelly of Manchester voting no.

Pierce of Bennington voting yes paired with Hayes of Manchester voting no.

And the motion to substitute did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Wilson of Manchester called for the unfinished business Senate Bill No. 40, An act relating to a minimum wage for women and minors.

The question being: Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

On a *viva voce* vote the Chair was in doubt.

On motion of Mr. Wilson of Manchester the vote whereby the previous question was ordered was reconsidered.

The question being: Shall the main question now be put?

On a *viva voce* vote the negative prevailed.

(Discussion ensued)

Miss Greenfield of Rochester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

On a *viva voce* vote the negative prevailed.

Mr. Russell of Conway asked for a division.

A division being taken 147 members voted in the affirmative and 163 members voted in the negative and the motion to substitute did not prevail.

The question being on the resolution reported by the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mr. Hoyt of Sandwich moved that the vote whereby House Bill No. 224, An act relating to disposal of profits obtained by towns through sale of real estate bought for taxes was passed be reconsidered.

The question being on the motion of Mr. Hoyt.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

The bill was then sent to the Senate for concurrence.

Mrs. Brungot of Berlin moved that the vote whereby the House adopted the resolution of the committee that it is inexpedient to legislate on Senate Joint Resolution No. 15, Joint resolution to provide for the purchase of certain land adjoining the State armory in Berlin, be reconsidered.

On a *viva voce* vote the motion did not prevail.

Mr. Moran of Nashua moved that the House recall from the Honorable Senate House Bill No. 432, An act increasing the tax on legacies and successions.

On a *viva voce* vote the motion did not prevail.

Mr. Banfield of Moultonborough moved that the House reconsider the vote whereby Senate Bill No. 69, An act relating to observance of the Lord's Day, was indefinitely postponed be reconsidered.

The question was raised that a motion to indefinitely postpone could not be reconsidered.

The Speaker ruled that the motion was in order.

Mr. Callahan of Keene appealed from the decision of the Speaker but subsequently withdrew his appeal.

Mr. Banfield of Moultonborough withdrew his motion.

#### RESOLUTION

Mr. Moran of Nashua offered the following resolution:

*Resolved*, That the Speaker appoint a committee of five to make suitable preparations for a Fourth of July celebration.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee Mr. Moran of Nashua with powers to choose his associates.

On motion of Mr. Stevenson of Exeter the regular order was resumed.



## COMMITTEE REPORTS

Mr. Chandler of Gorham for the Committee on Appropriations, to whom was referred House Joint Resolution No. 158, Joint resolution in favor of the town of Milan, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said joint resolution by adding at the end thereof the following:

Said appropriation shall be a charge upon the appropriation made for settling the liabilities incurred by the director of poor relief, as provided by chapter 1, Laws of 1935, so that said resolution as amended shall read as follows:

That the sum of one thousand three hundred and twenty-seven dollars and twenty-five cents (\$1,327.25) is hereby appropriated to reimburse the town of Milan for a percentage of the amounts paid out by said town for direct poor relief, which said amounts were contracted for prior to July 1, 1933, and for which said town has received no reimbursement. Said appropriation shall be a charge upon the appropriation made for settling the liabilities incurred by the director of poor relief, as provided by chapter 1, Laws of 1935.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 329 (in new draft), An act relating to labor and industry, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Amendment.* Amend chapter 174 of the Public Laws by striking out sections 1 to 11 inclusive and inserting in place thereof the following:

1. *Department Created.* There shall be a department of Labor and Industry consisting of a Commissioner of Labor and Industry, two deputy commissioners and such staff as shall be necessary for the performance of the duties of the Department, provided that the number of such deputy com-

missioners shall be increased to three after the provisions of Chapter 179A of the Public Laws as inserted by Chapter of the Laws of 1935 become effective and while the provisions of said chapter remain in effect.

2. *Term; Removal.* The Commissioner shall be appointed and may for cause be removed by the governor with the advice and consent of the council. He shall serve for a term of three years and until his successor is appointed and qualified. Vacancies shall be filled for the unexpired term. The deputy commissioners shall be appointed by the Commissioner subject to the approval of the governor and council and shall serve during the pleasure of the Commissioner.

3. *Salary; Expenses.* The annual salary of the Commissioner shall be four thousand dollars, and that of the deputy commissioners, three thousand dollars. They shall in addition be allowed their actual expenses incurred in the work of the Department to be approved by the governor and council.

4. *Personnel.* The commissioner is authorized to employ all the necessary assistants, clerks, accountants, auditors, agents, investigators, inspectors, and other persons necessary for the proper administration of the Department and prescribe their duties and fix the amount of their compensation, subject to the approval of the governor and council.

5. *Reports.* The Commissioner shall publish and file with the Secretary of State not later than December first of each year an annual report of the activities of the Department. The reports for the years preceding the biennial session of the legislature shall be distributed among the members thereof and shall contain recommendations, if any be deemed necessary, for changes or recodifications of the laws relating to labor and industry.

6. *Duties; Commissioner.* The Commissioner shall be the executive and administrative head of the Department. He shall establish rules for the conduct of the Department and for proceedings before the commissioner. He shall be responsible for the administration and enforcement of the

laws, rules and regulations relating to labor and industry and the work of the Department. He shall direct all needed inspections and investigations except as otherwise provided. He shall organize in the Department such divisions or bureaus as may be necessary for the more efficient and effective administration of such laws, rules and regulations. He may assign deputy commissioners or other assistants to the supervision of such divisions or bureaus and may delegate to them the authority and powers herein conferred upon the Commissioner for the administration and enforcement of such laws, rules and regulations. Without limiting the foregoing it shall be the duty of the Commissioner and he shall have jurisdiction and authority:

I to visit the manufacturing, mechanical and mercantile establishments of the state at such times as it shall deem necessary for the purposes of ascertaining whether the laws relating to employment are complied with, and to ascertain if reasonably safe, sanitary, and hygienic conditions are maintained, calculated to promote the health and welfare of the workers,

II to administer and enforce all state laws relating to employment and places of employment, to relations between employers and employees, and to the alleviation and prevention of unemployment,

III to conduct investigations, collect, analyze and publish from time to time statistical and other information relating to labor and industry within the state and other matters within its jurisdiction, and in particular to collect, analyze and publish statistics of the volume, character, and changes in employment, and changes in the cost of living, for which purposes the commission may cooperate with the United States Bureau of Labor Statistics, and may enter into such agreements with the said bureau and with the United States Secretary of Labor as the governor and council shall approve,

IV to cooperate with the state departments of health, public welfare and relief, and education, the United States Department of Labor, and with other public and private

agencies endeavoring to promote social, economic and industrial welfare,

V to cooperate with all related state and federal agencies in an effort to avoid unnecessary duplication of reports, inspections, and other activities,

7. *Duties; Deputy Commissioners.* The Deputy Commissioners shall perform such duties as shall be assigned by the Commissioner.

8. *General Orders.* The commissioner shall have authority to make and adopt such reasonable orders, rules, and regulations of general application as he may deem necessary to effectuate the purposes and provisions of this title.

9. *Special Orders.* Whenever the commissioner shall determine that any general order, rule, or regulation is inadequate or unreasonable in its application to special conditions obtaining in any place of employment or part thereof, he may by special order applicable to that place so modify or extend the requirements of such general order, rule or regulation as to make the same adequate and reasonable with respect to such special conditions.

10. *Orders, Rules and Regulations Effective.* The general orders, rules and regulations of the commissioner shall after adoption be filed with the secretary of state and shall thereafter have the force and effect of law. Such orders, rules and regulations may be amended, altered, or revoked in the same manner. The special orders hereinbefore provided for shall have similar effect when notice thereof shall have been given either in person or by registered mail to such as will be affected thereby.

11. *Penalties.* Except as otherwise provided every person, firm, association or corporation violating the orders, rules or regulations of the commissioner shall be subject to the penalties for violating the law, or section thereof, for the administration or enforcement of which such order, rule or regulation is adopted.

12. *Records.* The commissioner shall keep a record of all orders, rules or regulations made or adopted by him, and



of the proceedings and hearings before the commissioner, which shall be open to public inspection. The commissioner shall from time to time publish in pamphlet form or otherwise the orders, rules or regulations of general application.

#### PROCEEDINGS BEFORE THE COMMISSIONER

13. For the purpose of carrying into effect the provisions of the laws relating to labor and industry, the commissioner shall have the power to administer oaths, certify to official acts, issue subpoenas, and compel the attendance of witnesses and the production of papers, books, accounts, documents and testimony. In lieu of requiring production of originals by subpoena, the commissioner may require sworn copies of any such papers, books, accounts and documents to be filed with him.

14. *Proceedings Not Evidence.* Neither the proceedings, nor any part thereof before the commissioner shall be received in evidence in any judicial proceeding before any other court or tribunal.

15. *Depositions.* The deposition of any witness within or without the state, taken in the manner prescribed by law for depositions in civil actions, may be used in any proceeding for review or appeal.

16. *Evidence.* In any investigation or hearing the commissioner shall not be bound by the technical rules of evidence.

17. *Witnesses.* Witnesses summoned before the commissioner shall be paid the same fees as witnesses summoned to appear before the Superior Court, and such summons issued by any Justice of the Peace shall have the same effect as though issued for appearance before such court.

#### APPEAL FROM ORDERS

18. *Motion for Rehearing.* Except as to such orders, rules or regulations as may be adopted pursuant to and for the administration and enforcement of chapter 179A of the Public Laws as inserted by chapter of the Laws of 1935, any person, firm, association or corporation affected by any



order, rule or regulation of the commissioner may apply to the commission for a review thereof within thirty days after its adoption, provided the commissioner may, whenever in his opinion justice requires, extend the time for filing such motion.

19. *Specification.* Such motion shall specify fully every ground upon which it is claimed that the order, rule or regulation is unlawful or unreasonable. No appeal from any order, rule or regulation of the commissioner shall be taken unless the applicant shall have applied for a rehearing as herein provided and no ground not set forth in the motion for rehearing shall be argued, relied on, or given any consideration by the court, unless the court shall allow the applicant to specify additional grounds.

20. *Joinder.* The commissioner may join in one proceeding all motions for review of the same or substantially similar orders.

21. *Action on Motion.* Within ten days after the filing of the motion the commissioner shall either grant or deny the same. If granted notice of the time and place of hearing, which shall be open to the public, shall be given the petitioner and may be given to such other persons as the commissioner finds to be directly interested in the issues raised. If upon such hearing the commissioner finds that the order, rule, or regulation complained of is invalid or unreasonable, he shall revoke it, or substitute therefor a new or amended one.

22. *Appeal.* Within thirty days after the application for review is denied, or if granted, within thirty days after the decision thereon, the applicant may file a petition in the nature of a bill in equity in the superior court against the commissioner to determine the validity thereof. Such petition shall state briefly the nature of the proceeding before the commissioner, the order or decision complained of, and the grounds upon which it is claimed to be unlawful or unreasonable upon which the petitioner will rely in the superior court.

23. *Parties.* Any person, firm, association or corpora-

tion whose rights may be directly affected may appear and become a party, or the court may order such to be joined as parties as justice may require.

24. *Filing.* Upon the filing of an appeal, the clerk of the court shall issue an order of notice requiring the commissioner to file with the court a certified copy of the record in the proceeding together with such of the evidence introduced before or considered by the commissioner as may be specified by any party in interest, as well as such other evidence, so introduced and considered, as the commissioner may deem proper to certify, together with the originals or copies of all exhibits introduced in evidence before the commissioner.

25. *Other Notice.* Such notice as the court may order shall also be given to parties to the proceedings before the commissioner, or who may be ordered joined by the court.

26. *Fees for Copies.* The commissioner shall collect from the party making the appeal a fee of ten cents per folio of one hundred words for the copy of the record and such testimony and exhibits as shall be transferred, and five cents per folio for manifold copies, and shall not be required to certify the record upon any such appeal, nor shall said appeal be considered, until the fees for copies have been paid.

27. *Precedence.* So far as practicable such petition shall have precedence over other actions in the same court.

28. The burden shall be upon the party seeking to set aside any order of the commissioner to show that the same is clearly unreasonable and unlawful. The findings of the commissioner upon all questions of fact properly before him shall not be open to review unless the same appears to be clearly unreasonable and erroneous.

29. *Additional Evidence.* No new or additional evidence shall be introduced in the superior court, except that in any case if it shall be necessary in order that no party shall be deprived of any constitutional right, or if the court be of the opinion that justice requires the reception of evidence of facts which have occurred since the hearing, or which by accident, mistake or misfortune, could not have been offered

before the commissioner, the court may upon motion of any party order a stay of proceedings and the remanding of the case to the commissioner for the reception of such additional evidence. The commissioner shall forthwith hear and consider the same and may alter, modify, amend or rescind the order appealed from, and shall report its actions thereon to the court as soon thereafter as practicable.

30. *Subsequent Proceedings.* If the commissioner shall rescind the order appealed from the appeal shall be dismissed; if it shall alter or amend such order, such altered or amended order shall take the place of the order appealed from and the court shall, upon receipt of a certified copy of such additional evidence and exhibits, if any, render judgment with reference thereto in said appeal as though said order had been made by the commissioner in the first instance, after allowing any amendments of the pleadings or other incidental proceedings desired by the parties which the changed situation may require.

31. *Judgment.* The judgment upon every appeal shall be a decree dismissing the appeal or vacating the order complained of in whole or in part, as the case may be; but in case such order is wholly or partly vacated the court may also, in its discretion, remand the matter to the commissioner for such further proceedings, not inconsistent with the decree, as justice may require.

32. *Stay of Proceedings.* During the pendency of any motion for review the order, rule, or regulation complained of may be suspended by the commissioner, and during the pendency of any appeal to the court it may be suspended by the court if justice requires.

33. *Collection of Information.* It shall be the duty of employers or other persons possessed of information pertaining to authorized investigations of the commissioner on request by the commissioner or any agent duly authorized by him to furnish such information within a reasonable time. Information so collected shall so far as it relates solely to the private affairs of such employer or other person, be held confidential and shall not be used in any such manner as to

disclose such private affairs. Any person who shall, except as may be required by law, disclose the same shall be guilty of a misdemeanor and shall be fined not more than two hundred dollars (\$200) for each offense; but this section shall not be construed as prohibiting the publication of such information in tabular or other statistical form.

34. *Obstruction of Commissioner.* Any person, firm, association or corporation who shall obstruct the commissioner or any agent duly authorized by him in the performance of duty shall be guilty of a misdemeanor, and except as otherwise provided by law, shall be fined not more than two hundred dollars (\$200) for each offense.

35. *Prosecutions.* The commissioner shall receive complaints concerning conditions existing in any industry carried on in the state, or concerning alleged violation of any law relating to labor and industry and shall thereupon make or direct all needed and appropriate investigations and shall aid in securing the prosecution of violators.

2. *Bureau of Labor Abolished; Authority Transferred.* After the Commissioner of Labor and Industry shall have been appointed and qualified the Bureau of Labor and the office of the Labor Commissioner shall cease to exist; all the records and property of the state in the custody of the Bureau of Labor and the Labor Commissioner shall be transferred to the Commissioner of Labor and Industry, and, except as otherwise herein provided, all the powers, jurisdiction, duties, authority and functions heretofore conferred on and exercised by the Bureau of Labor and the Labor Commissioner, by any law or amendment thereof relating to labor and industry, shall be conferred upon and assumed by the Commissioner of Labor and Industry.

3. *Orders Continued.* All administrative orders adopted or promulgated by the Bureau of Labor of the Labor Commissioner prior to such time as the Commissioner of Labor and Industry shall have been appointed and shall have qualified, shall continue in force and effect until revoked, modified or amended by the commissioner.

4. *Transfer of Funds.* All unexpended appropriations



or portions thereof heretofore appropriated for the bureau of labor and the commissioner of labor, and all unexpended funds heretofore made available to the bureau of labor and the commissioner of labor, shall be transferred to the Commissioner of Labor and Industry.

5. *Renumbering.* Further amend by renumbering sections 12 to 27 inclusive to read sections 36 to 51 inclusive.

6. *Amendment.* Amend section 15, as renumbered to read section 39 by the preceding section, by striking out the whole of said section and inserting in place thereof the following:

39. *Investigating Controversies.* In any controversy involving the interest of not less than ten employees in the same general line of business in this state wherein differences arise relating to the conditions of employment or rates of wages between any employer, whether resident or non-resident, and his employees, the Commissioner of Labor and Industry, shall upon application as hereinafter provided or upon his own motion, visit the locality and make careful inquiry into all the conditions and circumstances of the situation, hear the persons interested therein who may come before it, advise the respective parties what, if anything ought to be conceded by either, or both, and adjust if possible such controversies or differences. If such visit shall be the result of application to the commissioner he shall within five days after such inquiry make a written decision thereon, a copy of which shall be furnished the parties and a copy kept on file in the office of the commissioner.

7. *Amendment.* Amend chapter 177 of the Public Laws by striking out sections 16 to 31 inclusive thereof.

8. *Saving Clause.* If any provision hereof, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

9. *Takes Effect.* All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.



The reading of the amendment having commenced Mr. Hunter of Hanover moved that the further reading be dispensed with.

The question being on the motion of Mr. Hunter.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The amendment was then adopted and the bill ordered to a third reading.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred Senate Joint Resolution No. 14, Joint resolution providing for an unpaid commission on interstate cooperation, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Freeman of Concord for the Committee on Judiciary, to whom was referred Senate Bill No. 70, An act relating to the Woodsville fire district, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Coakley of Concord for the Committee on Liquor Laws, to whom was referred Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 1 the following new section:

2. *Price of Beverages.* Amend chapter 99, Laws of 1933, by adding after section 32 the following new section: 32-a. *Limitation.* The price to be charged by holders of on-sale permits for a glass or other container of beverage shall not exceed one hundred and fifty per cent of the cost price.

Further amend said bill by renumbering section 2 to read section 3.

Amend the title of said bill by adding at the end thereof the words, and the price charged for beverages, so that said title as amended shall read as follows:

An act relating to the sale of beverages by certain first-class hotels and the price charged for beverages.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 458, An act to rehabilitate the State treasury for the loss of revenue suffered by the state, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Appropriations.

Mr. Boynton of Hillsborough for the Committee on Ways and Means, to whom was referred House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

OID F. WINSLOW,  
EDWARD A. DAME,  
ARTHUR P. GALE,

*A minority of the Committee.*

Mr. Winslow of Nashua moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Winslow.

(Discussion ensued)

Mr. Winslow asked for a division.

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

A division being taken 18 members voted in the affirmative and 204 members voted in the negative and the motion to substitute did not prevail.

Mr. Hunter of Hanover offered the following amendment.

Amend said bill by striking out in line six the word "ten" and insert in place thereof the word "five".

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

The bill was then ordered to a third reading.

The Committee on Conference, to whom was referred House Bill No. 336, An act relating to public employment of veterans, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and that the following amendments be adopted:

ARTHUR T. APPLETON,

HENRY L. ESTABROOK,

ALVIN E. FOSS,

*House Conferees.*

JOHN J. CONDON,

ELIOT A. CARTER,

*Senate Conferees.*

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. In public employment of clerks, office help, mechanics, teachers, teamsters, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the construction of public works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall first be given to citizens of the state on the basis of need, provided, however, that in cases of equal or greater need, or in cases where need is not a consideration, citizens of the state who have served in the Army, Navy and/or Marine Corps of the United States in

time of war, and have been honorably discharged therefrom or released from active duty therein, and who are qualified to perform the work to which the employment relates, shall be given preferment.

Amend section 2 by striking out all after the word "towns" in line 3 and substituting therefor the words, as hereinbefore provided, so that said section as amended will read as follows:

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said veterans in said services of their respective cities and towns, as hereinbefore provided.

On motion of Mr. Appleton of Dublin the report was adopted.

The Committee of Conference, to whom was referred House Bill No. 305 (in new draft), An act to revise and amend the fish and game laws, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendment and that the following amendments to the bill be adopted:

M. G. WILEY,  
JOHN E. BARRETT,  
*Senate Conferees.*

ALFRED L. GUAY,  
LESTER E. MITCHELL,  
ROBERT H. STOBIE,

*House Conferees.*

Amend chapter 197, section 1 of the bill by inserting after the word "hand" in line 2 of the paragraph marked "Angling" the words, to which is attached a cast of artificial flies, or an artificial bait, or one hook for bait; so that said paragraph as amended will read:

*Angling:* The taking of fish by line in hand, or rod in hand, to which is attached a cast of artificial flies, or an artificial bait, or one hook for bait. A person may have in use not more than two such lines at one time. Nothing in this title shall prohibit the use of a rod-holder in a boat.

Amend chapter 201, section 11 of the bill by adding after the word, forty, in line 2 the words, or ten pounds of, so that said section as amended shall read as follows:

11. *Yellow Perch.* A person may take a total of not more than forty or ten pounds of yellow perch in one day provided that so long as he had taken less than ten pounds he shall be entitled to take one additional fish.

On motion of Mr. Callahan of Keene the reading of the amendments was dispensed with.

On motion of the same member the report of the committee was adopted.

#### RESOLUTION

On motion of Mr. Ahern of Concord.

*Resolved*, That Col. Arthur J. Pierce be invited to address the House on his recent European trip, on Wednesday morning immediately following prayers.

On a *viva voce* vote the resolution was adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions, sent up from the House of Representatives:

House Bill No. 441, An act relating to regulation of highways and the control of traffic by signals and other devices.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 134, Joint resolution for the improvement of a certain road in Gilford.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 305, An act to revise and amend the fish and game laws, and the President had appointed on the part of the Senate, Senators Wiley and Barrett.

The message further announced that the Senate refused to concur with the House of Representatives in its amend-



ments to the following entitled bill sent up from the House of Representatives:

Senate Bill No. 19, An act relating to the taking of trout in Martin Meadow pond in Lancaster.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 413, An act relative to the powers of the superior court.

Amend section 1 of said bill by striking out the words "as the court may order" in the eighth line and inserting in place thereof the words, if not satisfactory to found a decree upon, so that said section as amended shall read as follows:

1. *Superior Court.* Amend chapter 316 of the Public Laws by adding after section 12 a new section, to be known as section 12-a, to read as follows: 12-a. *Findings by Jury on Issues Framed.* In probate appeals and bills in equity, when issues are framed and tried by jury, the verdict or findings of the jury shall be advisory and may be modified or set aside if not satisfactory to found a decree upon.

On motion of Mr. Graf of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Maxham of Concord at 1:13 o'clock the House adjourned.

### AFTERNOON

The House met at 2 o'clock.

### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 329, An act relating to labor and industry.

House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels and the price charged for beverages.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Joint Resolution No. 14, Joint resolution providing for an unpaid commission on interstate cooperation.

Senate Bill No. 70, An act relating to the Woodsville fire district.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Kearns of Manchester at 2:30 o'clock the House adjourned.

---

WEDNESDAY, JUNE 12, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## IN CONVENTION

The two branches being in convention His Excellency the Governor delivered the following message.

## GOVERNOR'S MESSAGE

Your Committees on Appropriations and Finance have been diligent in their study of the problems of needed additions and improvements to our State institutions whose facilities have been taxed to the utmost in recent years. Pending resolutions calling for immediate expenditures in excess of one and a half million dollars to enable them to meet urgent human needs can not be ignored.

Our problem of serving the taxpayer's interests in a manner consistent with our duty to our citizens as a whole is further complicated by the avowed refusal of the Federal Government to continue direct relief aid.

We are given assurances, however, that the cost of a State building program that will relieve unemployment will be partially met by a 45% Federal grant. We are further assured that under the Federal Works Relief program the cost of some of our proposed construction would be borne almost wholly by Federal funds. Sound economy dictates that in making needed expenditures we should purchase for 55 cents today what will cost a dollar tomorrow, more especially when the expenditure of the 55 cents will materially cut down what we would otherwise be required to expend for direct relief.

Your committees have not thought it wise to ear-mark the appropriations for our needed institutional building, in view of the present uncertainty of what projects will fall within the Federal 45% grant requirements, preferring to leave the final determination of the program to the Governor and Council with the advice of committees from both branches of the Legislature so that the Legislature now in session may be represented in this building program. This will assure the State of the maximum benefit from Federal assistance. House Bill 457 fulfills this objective. I would be unalterably opposed to bonding the State for current expenditures.

At the same time I would feel derelict in my duty to our citizens if I did not urge you to meet needed capital expenditures as provided in this bill when the opportunity for material saving is afforded, and when such a program would present perhaps the only means now available for the relief of unemployment in this State and a reduction of the number of our citizens on relief rolls.

H. STYLES BRIDGES,  
*Governor.*

#### ADDRESS

Col. Arthur J. Pierce of Bennington gave a short talk covering his recent European trip.

#### LEAVES OF ABSENCE

Miss Greenfield of Rochester was granted leave of absence for the day on account of attending a funeral.

Mr. Hepworth of Derry was granted leave of absence for the week on account of jury duty.

Mr. Firmin of Fitzwilliam was granted leave of absence for the day on account of attending a funeral.

#### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 39, An act to ratify an interstate compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage in states ratifying the same, and providing for a commission to further its policies.

House Bill No. 301, An act relating to the public service commission.

House Bill No. 373, An act in relation to emergency public works.

House Bill No. 426, An act relative to the operation of a toll road as a public utility.

House Bill No. 441, An act relative to regulation of high-

ways and the control of traffic by signals or other devices.

Senate Bill No. 22, An act relating to lights and parking of motor vehicles.

Senate Bill No. 56, An act relating to liability of towns.

Senate Bill No. 64, An act relative to legal investments of savings banks as determined by the board of investments.

The report was accepted.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 425, An act relating to the establishment of the East Derry fire precinct, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out all after section 1 and inserting in place thereof the following:

2. *Establishment of New Precinct.* Authority is hereby given for the establishment of a precinct in the town of Derry to be called the East Derry fire precinct, with boundaries as follows: that section of Derry bounded by the Derry village fire district; the Chester road, so-called; the town lines each of Chester, Sandown and Hampstead; and the railroad track commonly called the Nashua & Rochester Railroad track from Hubbard depot on the Warner Hill road across country to the Beattie farm, so-called, on the Derry Dock road, to the Derry village district.

3. *Organization Meeting.* Within thirty days after the passage of this act ten or more legal voters residing within said bounded district may petition a justice of the peace who shall thereupon issue a warrant calling for a meeting of the voters of said bounded district for the purpose of organization. If no such meeting is called within said thirty days, a meeting may thereafter be called as provided by chapter 57 of the Public Laws as amended for the establishment of village district. Except as otherwise herein set forth the provisions of said chapter 57 shall apply to said organization meeting.

4. *Objects; Powers.* The objects of said precinct shall be the extinguishment of fires, the supply of water for fire



purposes and incidental objects connected therewith, provided that additional objects consistent with the provisions of said chapter 57 may be voted at the organization meeting or other subsequent meeting called for the purpose. In the fulfillment of the objects of the precinct it shall have the powers and be otherwise governed by the provisions of said chapter 57.

5. *Records.* The precinct records shall be filed with the clerk of the town of Derry unless otherwise voted at the organization meeting or subsequent meeting called for the purpose.

6. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wilson of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 341, An act relating to aid for the blind, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Amendment.* Amend chapter 115 of the Public Laws by striking out sections 10, 11, 12 and 13 thereof and inserting in place thereof the following new sections:

10. *Residence.* In order to receive relief under these provisions a needy blind person shall have been a resident of the State for at least five years within the nine years immediately preceding his application for assistance, and has resided therein continuously for a period of one year immediately preceding said application and shall be a resident of the county to which application is made.

11. *Applications.* At least five days prior to action on any claim for relief hereunder, the person claiming relief shall file with the county commissioners of the county where

such person resides a duly verified statement of the facts bringing him within these provisions. The list of claims shall be filed in the order of their reception in a book kept for that purpose, which record shall be open to the public.

12. *Certificates.* No certificate of qualification to draw money hereunder shall be granted until the applicant has filed a statement signed by a reputable physician skilled in diseases of the eye that he knows the applicant to be blind, and a statement by the selectmen of the town where the applicant resides that he has the residential qualifications to entitle him to aid, and their recommendation of aid to a certain amount, nor until the county commissioners are satisfied from such statements and upon such further examination as they may make that the claim is well founded.

13. *Relief.* If the county commissioners are satisfied that the applicant is entitled to relief hereunder they shall furnish aid to him in such sum as they find needed, not to exceed thirty dollars per month, to be paid from the county treasury, and such relief shall be in place of all other relief of a public nature.

2. *State Administration.* Further amend said chapter 115 by adding after section 16 thereof the following new sections:

16A. *Supervision.* The State Board of Public Welfare shall supervise the administration of assistance to the blind under the provisions of this chapter. Said board shall prescribe the form of and print and supply to the county commissioners blanks of application, reports, affidavits and such other forms as it may deem advisable. Said board is hereby authorized to and shall make rules and regulations necessary for the carrying out of the provisions of this chapter to the end that assistance to the blind may be administered uniformly throughout the state, having regard for the varying costs of living in different parts of the state and that the spirit and purpose of this chapter may be complied with. Said board is also authorized to make such rules and regulations as may be necessary to conform with any requirements of the Social Security Board or any other agency established

under the provisions of the Social Security Act as passed by the Congress of the United States.

16B. *Appeal.* If an application is denied or the grant is deemed inadequate by the applicant, or the amount of assistance is reduced or withdrawn and the applicant feels aggrieved by such action of the commissioners, he may apply to the State Board of Public Welfare. Said board shall upon receipt of such an appeal review the case and may also upon its own motion review any decision made by the county commissioners. Said board may make such additional investigation as it may deem necessary, and shall make such decision as to the granting of assistance and the amount and nature of assistance to be granted the applicant as in its opinion is justified and in conformity with the provisions of this chapter. All decisions of said board shall be binding upon the counties involved and shall be complied with by the county officials.

16C. *Reimbursement by the State.* The county commissioners and county treasurers shall keep such records and accounts in relation to assistance to the blind as the State Board of Public Welfare shall prescribe. The State shall reimburse each county to the extent of 5 per cent of the amount expended for assistance to each blind person which has been granted under the provisions of this chapter and in accordance with the rules of the board. The Board of Public Welfare is hereby authorized to disburse any funds received from the United States Government for assistance to the blind. Claims for reimbursement shall be presented by the respective counties at such times and in such manner as the Board may prescribe.

16D. *Approval of Claims.* The approval of such claims shall be made by the Board of Public Welfare in accordance with the provisions of this chapter and the rules of said board. The Board shall certify to the state treasurer the amounts so approved by it, specifying the amount to which each country is entitled. The amounts so approved shall be paid by the State Treasurer upon the warrant of the governor to such counties.

16E. *Revocation.* If at any time the State Board of Public Welfare has reason to believe that assistance to the blind has been or is being improperly granted, it shall cause an investigation to be made. If upon such investigation it appears that the assistance was improperly granted, the Board shall immediately notify the county commissioners to revoke or modify said assistance.

16F. *Reports.* County commissioners shall make such reports and in such detail as the State Board of Public Welfare may from time to time require, and shall transmit to said board upon its request copies of the application and any or all other records pertaining to any case. Said board is hereby authorized and directed to make such reports and in such detail as may be required of it to the Federal Government. Within ninety days after the close of each calendar year, said board shall make a report to the Governor and Council for the preceding year, which shall include a full account of the administration of this chapter, the expenditure of all funds under this chapter, adequate and complete statistics concerning assistance to the blind, and such other information as the Board may deem advisable, or the Governor and Council may request.

16G. *Assignability of Assistance.* All assistance given under this act shall be inalienable by any assignment or transfer and shall be exempt from levy or execution under the laws of this state.

16H. All necessary expenses incurred by county commissioners in carrying out the provisions of this chapter shall be paid by the county subject to reimbursement as herein provided.

3. *Appropriation.* There is hereby appropriated from any money in the treasury not otherwise appropriated, a sum not exceeding three thousand dollars for the fiscal year ending June 30, 1936, and a similar amount for the fiscal year ending June 30, 1937, for the purpose of paying the State's contribution for assistance to the blind under this act.

4. *Temporary Provision.* During the period that the State Board of Welfare and Relief shall perform the duties



of the State Board of Public Welfare said Board of Welfare and Relief shall have all the powers and perform all the functions conferred upon said Board of Public Welfare by this act.

5. *Takes Effect.* All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect July 1, 1935.

The reading of the amendment having commenced, on motion of Mr. Henderson of Durham the further reading was dispensed with.

The amendment was then adopted and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 377, An act relating to the New Hampshire State employment service, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. *Amendment.* Amend chapter 175 of the Public Laws by striking out the whole of said chapter and inserting in place thereof the following:

1. *Acceptance of Act.* The State of New Hampshire hereby accepts an Act of Congress entitled "An act to provide for the establishment of a National Employment System and for cooperation with the State in the promotion of such system, and for other purposes," approved June 6, 1933, in conformity with Section 4 thereof.

2. *Agency Designated.* The Commissioner of Labor and Industry is hereby designated as the State Agency for the purposes of said act and is hereby authorized and directed to cooperate with the United States Employment Service under said act and is given full power to cooperate with all authorities of the United States having powers and duties under such act, and to do and perform all things necessary to secure to the State of New Hampshire the benefit of such act in the promotion and maintenance of a system of public employment offices.



3. *Employment Offices.* The Commissioner of Labor and Industry shall establish and maintain a New Hampshire State Employment Office responsible for the administration of a system of public employment offices throughout the State. Such offices shall be located in such places as the Commissioner may determine and shall be managed in accordance with rules and regulations adopted by the Commissioner. The Commissioner shall appoint such clerks and assistants as may be necessary for the conduct thereof and shall fix their compensation.

4. *Preference.* In registering applications for employment and for employees wanted preference shall be given to residents of the State.

5. *Cooperation.* It shall be the duty of the city and town clerks to cooperate with the New Hampshire State Employment Office in the reception and forwarding of applications from those seeking employment and those desiring employees. Such city or town clerks shall receive no compensation from the State for such services but may receive additional compensation therefor according to the direction of the respective cities and towns.

6. *Reports.* The Commissioner of Labor and Industry shall prepare and publish from time to time reports relating to the activities of the said New Hampshire State Employment Office.

7. *Takes Effect.* This act shall take effect upon its passage.

The reading of the amendment having commenced on motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendment was then adopted and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 448, An act providing for assistance to aged and dependent persons, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 2 by adding in line 8 after the word "assist-

ance" the words: and has resided therein continuously for one year immediately preceding said application. So that said section as amended shall read as follows:

2. *Assistance to Whom.* Old age relief or assistance shall be given to any person of the age of seventy years, who (a) is unable to support himself and has no children or other persons of sufficient ability to pay and responsible for his support under the laws of New Hampshire; (b) is a citizen of the United States; (c) has been a resident of New Hampshire for at least five years within the nine years immediately preceding his application for old age assistance and has resided therein continuously for one year immediately preceding said application; (d) makes application therefor in the county in which he has a legal settlement in some town or city thereof, or in case he has no such legal settlement, in the county in which he is residing; (e) is not at the time of receiving assistance an inmate of, or receiving the necessities of life from any charitable institution maintained by the state, or any of its political subdivisions, or of a private charitable, benevolent or fraternal institution or home for the aged, except in the case of temporary medical or surgical care in a hospital; (f) is not on account of his physical condition in need of continued institutional care; (g) has not deprived himself directly or indirectly of any property for the purpose of qualifying for such assistance except as provided in sections 20 and 21 of this act; (h) is not at the time of making application or later an inmate of any prison, jail, workhouse, infirmary, insane asylum or other public correctional institution; (i) has not during the period of ten years immediately preceding such application been imprisoned for a felony; (j) if a husband, has not without just cause failed to support his wife and his children under the age of sixteen years, for six months or more during the ten years preceding the date of application; (k) has not within one year preceding said application been an habitual tramp, beggar or drunkard.

Amend section 10 by striking out the following in lines 13 to 17 inclusive: "Whenever an application is received, the

county commissioners shall immediately give notice of such application to the selectmen of any town or overseer of the poor or city clerk of any city in which such applicant resides, and of the time and place of any hearing and of any decision rendered." and inserting in place thereof the following: Whenever an application is received, the county commissioners shall immediately give notice of such application to the selectmen of any town or city clerk of any city in which such applicant resides, or has a legal settlement, and of the time and place of any hearing and shall also notify them of any decision rendered. so that said section as amended shall read as follows:

10. *Investigation of Applicant.* Whenever county commissioners receive an application for an old age assistance, an investigation and record shall be promptly made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this act and such other information as may be required by the rules of the State Board of Welfare and Relief. The county commissioners and the State Board of Welfare and Relief shall have the power to issue subpoenas for witnesses and compel their attendance and the production of papers and writings, and officers and employees designated by the county commissioners or said board may administer oaths and examine witnesses under oath. Whenever an application is received, the county commissioners shall immediately give notice of such application to the selectmen of any town or the city clerk of any city in which such applicant resides, or has a legal settlement, and of the time and place of any hearing and shall also notify them of any decision rendered.

Amend section 29 by striking out the entire section and inserting in place thereof the following:

29. *Takes Effect.* This act shall take effect, if and when House Resolution No. 7260, known as the "Social Security Act" now pending in the Congress of the United States is passed and becomes effective.

The reading of the amendments having commenced on

motion of Mr. Osborne of Sunapee the further reading was dispensed with.

The amendments were then adopted and the bill ordered to a third reading.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Bill No. 450, An act relative to the improvement of Rye harbor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, reported the same with the following amendments, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption by striking out the words "Little Bay" and inserting in place thereof the words, General John Sullivan memorial, so that said caption as amended shall read as follows:

Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan memorial bridge.

Further amend said resolution by striking out the words "Little Bay" in line 8 and inserting in place thereof the words, General John Sullivan memorial, so that said resolution as amended shall read as follows:

That the sum of sixteen thousand six hundred sixty-seven dollars for the year 1935 be and hereby are appropriated on condition that the town of North Hampton appropriates eight thousand three hundred thirty-three dollars for the improvement of the main or post road, so called, leading from U. S. Route No. 1 at Hampton in the town of North Hampton to General John Sullivan memorial bridge, if the town of North Hampton makes the appropriation provided for herein and accepts the aid from the state under this resolution, said town shall not be entitled to apply for or receive



State aid under the provisions of section 21, chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931, for the year 1935. Said sums appropriated by the State and town shall be expended under the direction of the highway commissioner and the sum appropriated by the State shall be a charge upon the highway funds.

The report was accepted, the amendments adopted, and the joint resolution ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 10, An act relating to legal investment by guardians, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: Amend section 22 of chapter 290 of the Public Laws, as amended by section 1, chapter 71 of the Session Laws of 1931, by striking out all of said section as amended and inserting in place thereof the following:

22. *Approved Classes.* Every guardian shall invest in the name of his ward, or in his own name as guardian, the money and the proceeds of all real and personal property of his ward not required for the ward's support, in the following described classes of property only.

I. In notes secured by mortgage of real estate at least double in value of the notes.

II. By deposit in some incorporated savings bank in this state, or in the savings department of a national bank or trust company located in this state.

III. In such other stocks and bonds as are legal investments for savings banks in this state, with the exception of stocks in banking corporations and trust companies.

IV. In free shares, matured shares or investment certificates of any Building & Loan Association organized under, or operating by virtue of chapter 266 of the Public Laws of New Hampshire.

V. Whenever a payment under a life insurance contract shall become payable to a ward in a lump sum, with a right



granted to the ward to elect an option to leave the proceeds on deposit with the insuring company and receive periodic interest payments, or an option to receive the benefits in accordance with any plan for periodic payments over a selected term of years, a guardian may exercise the said right in the same way in which his ward might have exercised it had he or she not been under guardianship, except that such payments accruing to a minor shall not extend beyond the minor's twenty-first birthday.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. O'Reilly of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 405, An act relating to license fees for foreign bakers distributing bread and other bakery goods within the State, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hoyt of Sandwich for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Blake of Concord for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 31, Joint resolution for the improvement of Sheep road in the city of Concord and town of Pembroke, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wilson of Manchester for the Committee on Rules,

reported the following entitled bill, House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Osborne of Sunapee for the Committee on Rules, reported the following entitled bill, House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Neal of Meredith the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Wilson of Manchester the order whereby House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington, was referred to the Committee on Judiciary was vacated.

On motion of the same member the printing of the bill was dispensed with and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 461, An act authorizing the county of Grafton to issue bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Perley of Lebanon the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Keefe of Dover for the special committee consisting of the Committees on Judiciary and Ways and Means, to whom was referred House Bill No. 456, An act imposing a tax upon the sale of electricity, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the special committee consisting of the Committees on Judiciary and Appropriations, to whom was referred House Bill No. 457, An act relating to State building, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of section 2 and inserting in place thereof the following: 2. *Expenditure*. Said sums shall be expended for the construction, alteration, repair, equipment and improvement of state lands, institutions and buildings, for the acquisition of land and property necessary therefor, and for any other purposes necessary or incidental to the foregoing.

Further amend said bill by adding after the word "Council", in line 24, section 5 of the printed bill, the words "in such manner", so that said section 5 as amended shall read as follows: 5. *Bonds Authorized*. In order to supply the funds herein appropriated the State Treasurer is hereby authorized under the direction of the Governor and Council to borrow upon the faith and credit of the state a sum not exceeding one million dollars and for that purpose may issue negotiable bonds and notes in the name of and on behalf of

the state with such rates of interest, in such form and denominations, with such provisions as to registration, place or places of payment of principal and interest, and with such dates of maturity and other provisions as the Governor and Council may determine. Such bonds and notes shall be signed by the Treasurer, countersigned by the Governor, have the great seal of the state affixed thereto, be attested by the Secretary of State, and shall be deemed a pledge of the faith and credit of the state. The signatures and countersignatures on such bonds may be autographic or by facsimile. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all such purposes the same as if such officers had remained in office until such delivery. The Treasurer may negotiate and sell such bonds or notes under the direction of the Governor and Council in such manner as they may determine to be most advantageous to the state. The proceeds from the sale of such bonds and notes shall be held by the Treasurer and paid out by him upon warrant drawn by the Governor with the advice and consent of the Council for the purposes of this act.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Mitchell of Campton for the special committee consisting of the delegation from the county of Grafton, to whom was referred House Bill No. 453, An act regarding compensation of county commissioners of Grafton county, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "twelve" in lines 4 and 15 and inserting in place thereof the word, ten, so that said section as amended shall read as follows:

1. Amend section 28 of chapter 38 of the Public Laws as amended by chapter 186 of the Laws of 1933 by striking out after the word "Grafton" in line 14, the words, "seven hundred and fifty dollars," and inserting in place thereof the words, ten hundred dollars, so that said section as amended shall read as follows:



28. *Salaries.* The annual salary for each commissioner of the following counties shall be as follows, payable by the county:

In Rockingham, ten hundred dollars;

In Strafford, twelve hundred dollars;

In Belknap, nine hundred dollars;

In Merrimack, ten hundred dollars;

In Hillsborough, twenty-one hundred dollars;

In Cheshire, seven hundred dollars;

In Sullivan, nine hundred dollars;

In Grafton, ten hundred dollars;

In Carroll and Coos counties each commissioner, when employed in the business of the county and in inspecting taxable property of the towns as provided in section 26, shall receive five dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties except Strafford, a reasonable sum for all necessary expenses, upon order of the county auditors.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Beane of Laconia for the Special Committee consisting of the delegation from the City of Laconia, to whom was referred House Bill No. 334, An act relating to the mayor of Laconia, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### RESOLUTIONS

Mr. Mudge of Northwood offered the following resolution.

*Resolved*, That the Speaker of the House appoint a committee of five, and the Senate be invited to concur and appoint a committee of three, to study the possibilities of an income tax law and present a bill to this or any future session of the legislature.

The question being on the resolution.

(Discussion ensued)

On a *viva voce* vote the resolution was adopted.



Mr. Pomerleau of Dover offered the following resolution.

WHEREAS, Our Heavenly Father has called home an associate and friend, Fred Coffin,

*Be it resolved*, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship; his record of devoted and faithful public service during the present session of the New Hampshire General Court.

*Resolved*, That this sentiment be printed in our Journal, and that a copy be sent to the family with the assurance of our sincere sympathy with them in their bereavement.

GEORGE W. GARLAND,  
HALDIMAND W. NEAL,  
THOMAS H. KEENAN,  
F. CLYDE KEEFE,  
ALBERT J. POMERLEAU,  
*Committee on Resolutions.*

On a *viva voce* vote the resolutions were adopted.

### COMMITTEE REPORT

On motion of Mr. Keefe of Dover the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 462, An act relating to temporary salary increases for the commissioners of Strafford county, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Elson of Strafford the rules were suspended and the printing of the bill dispensed with.

On motion of the same member the rules were further suspended and the bill referred to a special committee consisting of the delegation from Strafford county.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H. et als.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris N. Freeman.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

Amend the resolution by adding after the figures, 1935, in line 17 the words and figures, and July 1936.

Further amend the resolution by adding after the figures, \$10,000, in line 18 the words, for each of the years 1935 and 1936.

Further amend the resolution by adding after the figures, 1936, in line 21, the word and figures, and 1937, so that the resolution as amended shall read as follows:

WHEREAS, The six New England States, through their respective Governors, in a convention called by the Recreational Division of the New England Council, endorsed a plan to more adequately advertise the recreational advantages of New England by creating an advertising fund of \$150,000, and

WHEREAS, This fund was to be raised as follows: \$50,000

by the New England Council and \$100,000 to be assessed to the six New England states on the basis of the amount of recreational property in each state; said assessment to be determined by the research departments of the New England Council, and

WHEREAS, The proper assessment against New Hampshire is determined to be \$17,800, therefore be it

*Resolved* by the Senate and House of Representatives in General Court convened:

That the sum of \$17,800 be and hereby is appropriated for the New England Council Advertise New England fund; and said sum is to be paid to the treasurer of the New England Council in July 1935 and July 1936. The Governor is hereby authorized to draw his warrant for \$10,000 for each of the years 1935 and 1936 in part payment for the same from any money in the treasury not otherwise appropriated. The balance of \$7,800 is to be a charge on the 1936 and 1937 funds of the State Planning and Development Commission.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of sixty-two dollars and twenty-five cents (\$62.25) be and hereby is allowed Eugene H. Corey of Lisbon for damages sustained by him September 12, 1933, while in the performance of his duties on highway work under the Emergency Relief Unemployment work, provided that the town of Lisbon appropriates the same sum for the same pur-

pose. The sum appropriated by the state shall be a charge under the highway funds.

On motion of Mr. Courtemanche of Allentown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members of the committee on the part of the House Messrs. Courtemanche of Allentown, Maxham of Concord, and Cormier of Nashua.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

Amend said joint resolution by striking out the words and figures "one hundred and one dollars and forty-five cents (\$101.45)" and inserting in place thereof the words and figures fifty dollars and seventy-three cents (\$50.73). Further amend said resolution by adding before the word "hospital" in the third line the words, one-half the; so that said resolution as amended will read:

That the sum of fifty dollars and seventy-three cents (\$50.73) be and hereby is allowed the town of Antrim to reimburse said town for one-half the hospital and doctors' bills paid by it on account of Harry Codman, who was injured while working on a highway in said Antrim. This sum shall be a charge upon the highway funds.

On motion of Mr. Courtemanche of Allentown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members of the committee on the part of the House Messrs. Courtemanche of Allentown, Maxham of Concord, and Cormier of Nashua.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of sixteen dollars and twenty-five cents (\$16.25) be allowed the Peterborough Hospital and the sum of thirty-two dollars and forty cents (\$32.40) be allowed William F. Pickford of Dublin for hospital bill and loss of income of said Pickford due to injury received July 19,

1933, while employed on State aid road construction in the town of Dublin, provided that the town of Dublin appropriates the same sums for the same purpose. The sums appropriated by the State shall be a charge under the highway funds.

On motion of Mr. Courtemanche of Allenstown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members on the part of the House Messrs. Courtemanche of Allenstown, Maxham of Concord, and Cormier of Nashua.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three hundred twenty-two dollars and ninety-four cents (\$322.94) be and hereby is appropriated as follows: Dr. S. G. Davis, Nashua, seventy dollars (\$70.00), Nashua Hospital Association, sixteen dollars and seventeen cents (\$16.17), and Harry L. Whitney, two hundred thirty-six dollars and seventy-six cents (\$236.76) to reimburse Harry L. Whitney for expenses paid on account of injuries received by him while working on the State aided highway in Brookline, June 21, 1934, provided that the town of Brookline appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

On motion of Mr. Courtemanche of Allenstown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members of the committee on the part of the House Messrs. Courtemanche of Allenstown, Maxham of Concord, and Cormier of Nashua.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eighty-eight dollars (\$88.00) be and



hereby is allowed Roy G. Sawyer of Thornton for loss of time and expenses incurred on account of injuries received while working on the Sandwich Notch road in the town of Thornton on April 25, 1934, provided that the town of Thornton appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

On motion of Mr. Courtemanche of Allentown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members of the committee on the part of the House Messrs. Courtemanche of Allentown, Maxham of Concord, and Cormier of Nashua.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eight hundred seventy-two dollars and twenty cents (\$872.20) be and hereby is allowed Clarence G. Harrington of Dublin for doctors' and hospital bills due to injury received July 18, 1933, while employed on State aid road construction in the town of Dublin and that the same be paid as follows: Ninety-six dollars and fifty cents payable to Peterborough Hospital; two hundred dollars (\$200.00) to Dr. F. C. Sweeney; one hundred twenty-five dollars (\$125.00) to Dr. H. G. Lee; two dollars and fifty cents (\$2.50) to Dr. C. H. Jennings; and four hundred forty-eight dollars and twenty cents (\$448.20) to Clarence G. Harrington, provided that the town of Dublin appropriates the same sum for the same purpose. The sum appropriated by the state shall be a charge under the highway funds.

On motion of Mr. Courtemanche of Allentown the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a committee of conference.

The Speaker appointed as members of the committee on the part of the House Messrs. Courtemanche of Allentown, Maxham of Concord, and Cormier of Nashua.

The message further announced that the Senate concurred

with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 330, An act relative to the taking of fish from certain waters.

Amend section 1 by striking out in line 4 the words "Round pond, Back lake";

Further amend section 1 by adding after the word "Millsfield" in line six the words, Stratford bog in Stratford;

Further amend section 1 by striking out the words "Lily pond and Saltmarsh pond in Gilford" in line 12; after the word "Sanbornton", and substituting therefor the words, Duck pond in Weare;

Further amend section 1 by adding after the word "Warren" in line 17 the words, Lake Armington in Piermont, Shaw pond in Franklin, and Stirrup Iron Brook pond in Salisbury;

So that said section as amended will read:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length may be taken only by the use of artificial flies from Coon Brook bog, Parmachenee bog, Scott's bog, all in Pittsburg, Clarksville pond in Clarksville, Little Millsfield pond and Moose pond in Millsfield, Stratford bog in Stratford, Beaver pond in Woodstock, Sawyer pond in Livermore, Profile lake in Franconia, Shawtown pond in Freedom, White pond in Ossipee, Echo lake in Conway, James pond in Tamworth, and Glen Ellis river between covered bridge in Jackson and Goodrich Falls dam in Bartlett, from May 1 to October 1; and from Badger reservoir and Grimstone reservoir in Belmont, Hunkins pond in Sanborn-ton, Duck pond in Weare, March pond in Hill, Moody pond in Weare, Stonehouse pond in Barrington, Pleasant pond in Warner, Round pond in Nottingham, and Scobie pond in Derry from May 1 to September 1; from Upper pond of Ellsworth Three ponds in Ellsworth and Warren, Lake Armington in Piermont, Short pond in Franklin, and Stirrup Iron Brook pond in Salisbury, from July 1 to October 1. No person may take more than ten in number nor more than five

pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch.

Amend section 2 by striking out in line 8 the words "Stratford bog, so-called, in Stratford", and substituting in place thereof the following, Round pond in Pittsburg, and Lily pond and Saltmarsh pond in Gilford;

Further amend section 2 by striking out in line 13 the word "Marlboro" and inserting in place thereof the word, Marlow;

Further amend section 2 by adding at the end thereof, No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish;

So that said section as amended will read:

2. *Brook Trout; Bait and Fly Fishing.* Brook trout not less than seven inches in length, may be taken by the use either of bait or artificial flies from Hall ponds in Sandwich, Robartwood lake in Campton, Spectacle pond in Groton and Hebron, from May 1 to September 1, and during the month of September by the use of artificial flies only; from Round pond in Pittsburg, and Lily pond and Saltmarsh pond in Gilford, and Little Diamond pond in Stewartstown from May 20 to September 1, and during the month of September by the use of artificial flies only; and from Nippo pond in Barrington, Ferrin pond and Mount William pond in Weare, Stone pond and Gustin pond in Marlow, Rocky Bound pond in Croyden and Lucas pond in Northwood from May 1 to August 1, and during the month of August by the use of

artificial flies only. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; provided that if he has taken less than two pounds he shall be entitled to one additional fish.

Amend section 4 by adding after the word "Lyman" in line 6 the words, Partridge lake in Lyman and Littleton;

Further amend section 4 by striking out in lines 8 and 9 the words "Big Dan Hole pond in Ossipee and Tuftonboro";

Further amend section 4 by inserting in line 22, after the word "Barrington" the words, Ferrin pond in Weare;

Further amend section 4 by striking out the word "three" in line 23 and inserting in place thereof the word four;

Further amend section 4 by striking out the words "Suncook river" in line 25 and inserting in place thereof the words, Martin Meadow pond in Lancaster;

Further amend section 4 by adding at the end thereof the words, from June 1 to October 1;

So that said section as amended will read:

4. *Pickerel*. Pickerel of any size and in any quantity may be taken and possessed at any time from Sunapee lake, Crystal lake in Enfield, Tewksbury pond in Grafton, Elbow pond in Woodstock, Pearl lake in Lisbon, Ogontz lake, Dodge pond, Round pond, and Flagg pond in Lyman, Partridge lake in Lyman and Littleton, Ellsworth pond in Ellsworth, Post pond in Lyme, Merrymeeting lake in New Durham, Middleton reservoir in Middleton, Silver lake in Madison, Mason pond in Orford, Rocky pond in Wentworth, Arming-ton pond and Lake Tarleton in Piermont and Warren, New-found lake in Hebron, Bridgewater, Bristol and Alexandria, Highland lake, Elbow pond and Bradley pond in Andover,



Nubanusit lake in Hancock and Nelson, Spectacle pond in Groton and Hebron, Rust pond in Wolfeboro, Mirror lake in Tuftonboro, Stinson lake in Rumney, Pea Porridge pond in Madison and Conway; Town Line pond in Dorchester and Wentworth, Trout pond in Dorchester, Lamprey pond in Orford, Coheco river, Contoocook river from Cheshire mill pond outlet in Jaffrey to Merrimack river, all waters of Coos county inhabited by trout, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Ferrin pond in Weare, except that pickerel may not be taken through the ice from the last four named waters, and all other streams in the State inhabited by trout except Martin Meadow pond in Lancaster, Pow-Wow river, Winnepesaukee river, and Pemi-gewasset river, from June 1 to October 1.

Amend section 5 by inserting after the word "ice" in line 2 the words, Partridge lake in Lyman and Littleton, Spectacle pond in Groton and Hebron, Stinson lake in Rumney, Mount William pond in Weare, Lake Tarleton in Piermont and Warren, Bradley pond in Andover, Martin Meadow pond in Lancaster, Big Dan Hole pond in Ossipee and Tuftonboro, Gorham pond in Dunbarton; and Long pond in the towns of Stoddard and Washington.

So that said section as amended will read:

5. *Closed to Ice Fishing.* The following waters are closed to fishing through the ice: Partridge lake in Lyman and Littleton, Spectacle pond in Groton and Hebron, Stinson lake in Rumney, Mount William pond in Weare, Lake Tarleton in Piermont and Warren, Bradley pond in Andover, Martin Meadow pond in Lancaster, Big Dan Hole pond in Ossipee and Tuftonboro, Gorham pond in Dunbarton, Scott pond in Fitzwilliam, Mountainview lake in Sunapee, Zephyr lake and Sunset lake in Greenfield, Tucker pond in Salisbury, Nutt pond in Manchester, Great pond in Kingston, Northwood lake in Northwood, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Island pond and Robb's reservoir in Stoddard, Mirror lake in Whitefield, Lake Winnipauket in Webster, and Long pond in the towns of Stoddard and Washington.



Amend section 6 by adding at the end of said section the words, and all tributaries of Little Sunapee lake in New London and Bradley lake in Andover;

So that said section as amended will read:

6. *Closed to Smelt Fishing.* The following waters are closed to smelt fishing: Dana Hines brook in Meredith, Dublin pond and the outlet as far as Clark's mill pond dam in Dublin, White pond in Ossipee, Black brook in Sanborn-ton for a distance of two hundred yards above its middle mouth to a point one hundred and fifty yards out into the lake from its middle mouth, Massabesic lake and all its tributaries in Manchester and Auburn, Spofford lake and its tributaries in Chesterfield, Silver lake and its tributaries in Madison, Massasecum lake in Bradford, Pleasant pond and its tributaries in Deerfield, Mascoma river in Mascoma and Lebanon from the outlet of the lake to the south ends of the abutment of the first railroad bridge, First Connecticut lake and its tributaries in Pittsburg, all tributaries of Sunapee lake, Highland lake and its tributaries in Andover, all tributaries of Webster lake in Franklin, Echo lake in Marlow and Lempster, Inlet brook to Ledge pond in Madison, all tributaries of Loon lake in Freedom, Nubanusit lake in Hancock, all tributaries to Lake Tarleton in Piermont and Swanzey lake in Swanzey, and all tributaries of Little Sunapee lake in New London and Bradley lake in Andover.

Amend section 7 by striking out in line 3 after the words "New Found lake" the words "Connor brook in Auburn", and inserting in place thereof the words, the tributaries of Dan Hole pond in Tuftonboro and Marshall pond in the town of Unity;

Further amend section 7 by striking out in line 4, after the word "Londonderry" the words, "Mallego brook within the Heath sanctuary in Barrington, Madbury and Dover";

Further amend section 7 by striking out in line 9, after the word "Haverhill" the words "Village brook in Bradford from its source to the new dam for five years from April 8, 1931; Summit brook and Sargent brook in Canaan for five years from May 4, 1932; that part of Stevens brook in Clare-

mont flowing into the rearing pool of the Claremont Fish House dam, for five years from May 4, 1932”;

Further amend section 7 by adding after the word “Grant” in line 16 the words, all tributaries of Loon lake in Freedom except Village brook and Bennett brook shall be closed only from Loon lake to their respective highway road bridges, Connecticut lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut lake level, and Big brook east of the road leading to Idlewild to the Connecticut river, and Smith brook in Pittsburg from the dam to the main river;

Further amend section 7 by striking out in line 17, after the word “river” the words “for three years from May 18, 1934” and substituting therefor the word tributaries;

Further amend section 7 by striking out in line 18, after the word “Easton” the words “and all its tributaries from its source to the highway leading from Lost river to Franconia; all tributaries of Webster lake in Franklin, except Sucker brook, for five years from May 4, 1932; the outlet of Webster lake in Franklin from the lake to the screen for five years from May 4, 1932; Haynes brook in Franklin from the Daniel Webster highway to Winnepesaukee river”;

Further amend section 7 by striking out after the word “brook” in line 24 the words “as far up as the so-called Glen House dam, for five years from May 4, 1932”;

Further amend section 7 by striking out the words “all streams” in line 29 and substituting therefor the word tributaries;

Further amend section 7 by striking out the word “itself” in line 30 and substituting therefor the word tributaries;

Further amend section 7 by striking out after the word “Easton” in line 31 the words, “and all its tributaries from its source to the old mill site”;

Further amend section 7 by adding after the word “bridge” in line 39 the words tributaries of, and by striking out after the word “Peterboro” the words “Round Pond brook in Pittsburg”;

Further amend section 7 by striking out after the word

"Rumney" in line 40 the words "from its source to the falls below Morrill's meadow";

Further amend section 7 by striking out after the word "Tuftonboro" in line 41 the words "from the New Road bridge, so-called, to its mouth";

Further amend section 7 by adding after the word "Washington" in line 43 the words tributaries of;

Further amend section 7 by striking out after the words "New Durham" in line 45 the words "and the streams between Tioga and Sargent reservoirs and Badger reservoir in Belmont";

Further amend section 7 by striking out after the word "Belmont" in line 47 the words "King, Goldsmith and Farrell brooks";

Further amend section 7 by striking out after the word "Wilton" in line 49 the words "for five years from June 5, 1931";

Further amend section 7 by adding after the word "Durham" in line 53 the words, Loon lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount. Back lake in Pittsburg shall be closed until May 20, 1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only.

So that said section as amended will read:

7. *Closed to All Fishing.* The following waters are closed to all fishing: Fowler river between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, the tributaries of Dan Hole pond in Tuftonboro and Marshall pond in the town of Unity, Sand Hill brook in Auburn, Derry and Londonderry, Spring Pond brook in Bennington, Tunnel stream in Benton and all its tributaries above the Parker house, Oliverian brook and all of its tributaries in Benton and Warren from its source to where it crossed the State highway on the highway leading from Warren to Haverhill; all tributaries of Dead Diamond river including Lamb Valley pond in Dartmouth College

Grant; all tributaries of Swift Diamond river in the Dartmouth College Grant; all tributaries of Loon lake in Freedom except Village brook and Bennett brook shall be closed only from Loon lake to their respective highway road bridges, Connecticut lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut lake level, and Big brook east of the road leading to Idlewild to the Connecticut river, and Smith brook in Pittsburg from the dam to the main river; Twitchell brook in Dummer flowing east into Androscoggin river; tributaries of Morse brook in Easton; all tributaries of Peabody river in Green's Grant except the West Branch and Nineteen-mile brook; Amos Pike or Starch Factory brook from its source to the highway leading from the State road to the French pond road, Lime Kiln brook and all its tributaries above No. 6 Schoolhouse, Granny Clark brook, and all its tributaries, all in Haverhill, for two years from May 1, 1935; tributaries of the West Branch watershed of the Ammonoosuc river in Kilkenny including the West Branch. Tributaries of Bowen brook in Landaff and Easton; Trout brook, so-called, the inlet of Post pond in Lyme upstream from the pond for a distance of approximately two miles to the falls; Alder brook, a tributary to Stearns brook in Milan and Success, Leavitt stream in Milan, all tributaries of Merrymeeting lake in New Durham, all tributaries of Pleasant lake in New London, and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards south from Chandler bridge, tributaries of Taggart brook in Peterboro, Three Pond brook in Rumney, Melvin river in Tuftonboro, all brooks in the Pillsbury reservation in Washington; tributaries of King, Goldsmith and Farrell brooks, tributaries of Souhegan river in Wilton; Gilford brook in Gilford, Poor Farm brook in Alton, Shannon brook in Moultonborough, all tributaries of Merrymeeting lake in New Durham. Loon lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount; Back lake in Pittsburg until May 20,



1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only; and the streams between Tioga and Sargent reservoirs and Badger reservoir in Belmont.

The reading of the amendments having commenced on motion of Mr. Guay of Laconia the further reading was dispensed with.

On motion of the same member the House voted to non-concur and asked for a committee of conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Guay of Laconia, Callahan of Keene, and Stobie of Hooksett.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill and joint resolution, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 306, An act to create a fish and game commission and define its powers and duties.

Amend said bill by adding before section 1 the following:

1. *New Chapter.* Amend chapter 196 of the Public Laws, as amended by chapter 90 of the Laws of 1933, by striking out the entire chapter and inserting in place thereof the following new chapter.

Amend section 8 of said bill by striking out the words "State treasurer" and inserting in place thereof the words, Secretary of State.

Amend section 23 by striking out the word "position" and inserting in place thereof the words, a position.

Amend section 31 of said bill by striking out the words "of this act" and inserting in place thereof the word, hereof; by striking out the words, "in this act" and inserting in place thereof the word, herein; and by striking out the word "funds" and inserting in place thereof the words, fish and game fund.

Amend said bill by making the following renumbering of sections:

Section 34 to read section 33;



Section 35 to read section 34;

Section 33 to read section 2;

Section 37 to read section 4;

Section 38 to read section 35;

Section 39 to read section 5.

Amend said bill by striking out section 36 and inserting in place thereof the following:

3. *Repeal.* Sections 44 to 49, inclusive, of chapter 197 of the Public Laws and sections 64 to 68, inclusive, of said chapter 197 as inserted by chapter 31, Laws of 1929, and chapter 38, Laws of 1931, and all acts or parts of acts inconsistent herewith are hereby repealed.

Amend section 11 of said bill by striking out the word "act" in the last line and inserting in place thereof the word, section.

On motion of Mr. Wilson of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

Amend said joint resolution by adding at the end thereof the following:

The sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the State shall be a charge upon the highway funds.

On motion of Mr. Osborne of Sunapee the House adopted the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

On motion of Mr. Wilson of Manchester business in order at 2 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Wilson of Manchester the rules were

suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 377, An act relating to the New Hampshire State employment service.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 450, An act relative to the improvement of Rye harbor.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

House Bill No. 457, An act relating to State building.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 10, An act relating to legal investment by guardians.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

On motion of Mr. Wilson of Manchester at 11:40 o'clock the House adjourned to meet on Thursday morning at 10 o'clock.

#### THURSDAY, JUNE 13, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

#### LEAVES OF ABSENCE

Messrs. Grant of Lyme and Gage of Gilmanton were granted leave of absence for the day on account of important business.

Mr. Dion of Nashua was granted leave of absence for the day on account of illness.

Mr. Gale of Jackson was granted leave of absence for Tuesday, June 18, on account of important business.

Mr. Heald of Wilton was granted leave of absence for next week on account of important business.

### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled joint resolutions:

House Joint Resolution No. 56, Joint resolution in favor of Joseph Lettre of Laconia.

House Joint Resolution No. 62, Joint resolution in favor of Paul Dumont of Stratford, county of Coos.

House Joint Resolution No. 114, Joint resolution in favor of Newell Ray Blodgett of Newbury, N. H., and others.

House Joint Resolution No. 152, Joint resolution in favor of the estate of Edward Norcross.

House Joint Resolution No. 160, Joint resolution in favor of Mrs. Morris M. Freeman.

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

The report was accepted.

### RESOLUTION

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and that when it then adjourns it adjourn to meet on Monday evening at 7:30 o'clock.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Appropriations, to whom was referred House Bill No. 458, An act to rehabilitate the State treasury for the loss of revenue suffered by the State, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being

Shall the bill be ordered to a third reading?

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed.

Mr. Davis of Conway for the Committee on Labor, to whom was referred House Bill No. 192, An act relating to amendments to workmen's compensation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Howison of Milford for the Committee on Transportation, to whom was referred House Bill No. 210, An act relating to carriers of property for hire on the public highways, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Hunter of Hanover the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Neal of Meredith the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Wilson of Manchester the rules were

suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Saltmarsh of Concord for the Special Legislative Committee appointed to investigate conditions at the Salem Race Track submitted the following report.

This report has been drawn up after serious consideration and much deliberation by your committee. We made five trips to Salem to meet officials of the New Hampshire Breeders' Association and the New Hampshire Racing Commission. It was with their cooperation that we were able to obtain the facts essential to make an efficient investigation.

We find that the New Hampshire Breeders' Association is conducting a fair and legitimate business at the Salem Race Track. The officials of the track opened their books and assisted us in every way possible to make an audit of the same. We were conducted about the track and had access to any part of same which we wished to inspect. We find that the track is undoubtedly making a fair profit, which of course is the reason they are in business. We see no reason whatsoever to take unfair advantage of the association by recommending legislation that would curtail their business and also affect the revenue of the State of New Hampshire.

We find that approximately 75% of the people attending the races are from other states. This means that the majority of money spent at the pari-mutuel windows is new money as far as New Hampshire is concerned. We find that the track draws a great deal of business into the State, affecting business of various kinds.



The committee recommended to the racing commission that a more thorough investigation of the employment situation be made to determine that 85% of employees are New Hampshire people. The commission is cooperating with us by starting this investigation at once. They have also promised to make a thorough investigation in the future before employing any new help.

We believe after careful consideration that the track should restore the pay cut made this year as soon as possible if and when they are financially able and under no conditions shall the track make any further cuts. The committee believes that the State Racing Commission should know if and when the track is financially able to restore the pay cut.

If any member of the House wishes a detailed account of the race track which includes facts and figures pertaining to payrolls and other expenditures and profit, they may obtain the same at the racing commission's office.

DONALD W. SALTMARSH,  
PATRICK J. KITTREDGE,  
CHARLES A. CHANDLER,  
FRANCIS X. COTE.

The report was accepted.

#### RESOLUTION

Mr. Saltmarsh of Concord offered the following resolution:

WHEREAS, the House of Representatives has learned from its special committee that a wage cut at the Salem Race Track has been made, therefore, be it

*Resolved*, That the House recommend to the New Hampshire Breeders' Association that the cut be restored and that the clerk be instructed to send a copy of these resolutions to the track management.

On a *viva voce* vote the resolutions were adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk an-

nounced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 220, An act relating to diseases of domestic animals.

House Bill No. 315, An act relative to aid for dependent mothers.

House Bill No. 422, An act to repeal charters of certain corporations.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.

House Joint Resolution No. 159, Joint resolution in favor of State treasurer's department, comptroller's department, legislative expense, and State Board of Health.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 354, An act relating to the salary of the treasurer of the county of Grafton.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following joint resolutions:

Senate Joint Resolution No. 7, Joint resolution for the improvement of the Bradley Hill road, so-called, in the towns of Bath and Haverhill.

Senate Joint Resolution No. 9, Joint resolution for the completion of the Barrington Depot road in the town of Barrington.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 447, An act to establish the New Hampshire water resources board.

Amend said bill by striking out sub-section (4) of section 3 and inserting in place thereof the following new sub-section:

(4) To sell and dispose of property rights and easements therein not needed in the judgment of the board for the purposes of this act.

Further amend said bill by striking out the words "if available at prices believed by it to be reasonable" in lines 5 and 6 of section 8, and inserting in place thereof the following: lease or otherwise, under such terms, conditions and prices as they deem reasonable and desirable;

Further amend said bill by adding after the word "damages" in line 3 of sub-section (c) of section 8 the following: one of whom shall be a resident of the city or town wherein such real estate is located;

So that said section as amended will read as follows:

8. *Acquisition of Property.* For the purpose of constructing any project within its authority under the provisions of this act, said corporation may acquire such real estate or other property, water rights, flowage rights and other rights hereinafter collectively referred to as real estate as may be needed, by purchase, lease or otherwise, under such terms, conditions and prices as they deem reasonable and desirable, otherwise by condemnation thereof for the use of the State in the manner hereinafter provided, namely:

(a) Said corporation shall in such cases cause a survey or location of the real estate proposed to be taken to be prepared in duplicate, one copy of which shall be filed with the Secretary of State and the other with the Clerk of the Superior Court in the county in which all or any portion of such real estate is located and shall petition said court to appoint commissioners to assess the damages to the owners. Such petition shall state the name and residence so far as known to said corporation of all persons claiming ownership of or interest in the real estate proposed to be taken.

(b) The Superior Court, upon the filing of any such petition, shall order notice thereof to be given to all persons claiming ownership of or interest in such real estate to appear and present their claims at a time and place to be stated in the

notice, by publication in a newspaper published in the town or city in which the real estate is situated, if any, otherwise in a newspaper published within the county; and an attested copy of such notice shall be given in hand to, left at the usual place of residence or business of, or sent by registered mail to the last known address of all claimants whose names appear in the application, fourteen days at least before the said date of hearing. The Superior Court shall hear the claims of all persons who shall appear and shall determine all questions of title, and, in case more than one person shall be found to have an interest in such real estate, shall determine the several interests of each and enter a decree accordingly; and such decree shall be final except upon questions of law and as herein provided.

(c) Upon final determination of any or all of said questions of title the court shall appoint a commission of three persons to assess damages, one of whom shall be a resident of the city or town wherein such real estate is located. Said commissioners, upon reasonable notice to all persons found by the court to have an interest in the property and after hearing, shall assess the damages and make return of such assessment to the court.

(d) Any claimant or the corporation, if dissatisfied with said decree as to title or such assessment of damages shall be entitled to a trial by jury, by filing in the office of the clerk of said court a petition for that purpose within thirty days after the filing of such decree or the return of such assessment. In trying any question of damages before said commissioners or by jury, the appraisal for taxation of such real estate, and in cases where less than the whole interest in real estate is sought to be acquired, the appraisal for taxation of such whole interest, by the selectmen or tax assessors for the tax year in which such application shall have been filed, and for as many preceding years as the commissioners of the court may consider relevant, shall be competent as evidence of value. The damages as finally determined shall be awarded to the owner or apportioned among the several owners in accordance with their several



interests as finally determined and a decree shall be entered accordingly.

(e) All such petitions shall be prosecuted to final judgment on behalf of the corporation by the Attorney General or such other person as may be designated by the Governor and Council.

(f) Upon the filing of any such petition in the Superior Court, said corporation shall be entitled to enter into possession of such real estate and title thereof shall be vested in the state after final decree and payment of damages as above provided. For purposes of surveying and other investigation, said corporation shall be entitled to enter upon any real estate, doing no unnecessary damage, and the owner thereof shall be entitled to recover any damage sustained by him by reason of any entry authorized by this section by action at law brought against said corporation. All real estate acquired under the provisions of this act shall be held in the name of the state. Forthwith upon the acquisition by the corporation in the name of the state, through purchase, condemnation, or otherwise of any real estate property or interest or easement therein, or of any water rights, such property or rights shall, without further action, and by virtue of this act, be and become dedicated to the use and purposes of the corporation.

Amend said bill by striking out section 10 and inserting in place thereof the following new section.

10. *Unlawful Use of Stored Water; Penalty.* As used in this act, the term "stored water" is hereby defined as water released from storage provided under the terms of this act in excess of the amount which would naturally flow at the time of such release if storage facilities had not been so provided and maintained. It shall be unlawful for any person to interfere with the flow of any stored waters released from any reservoir constructed under the provisions of this act, except so far as necessary in making reasonable use of the same, or for any person not entitled thereto under a contract as provided in this act to use for power or other purposes any such stored waters and any person, firm



or corporation not so entitled, who shall so interfere with the flow of or use for power or other purposes any stored water released from any reservoir constructed under the provisions of this act, shall upon conviction thereof be fined not exceeding five hundred dollars and each and every day of such use shall be a separate offense. The superior court sitting in equity shall have jurisdiction to enjoin the unlawful use of stored water and it shall be the duty of the attorney general to prosecute proceedings for the enforcement of the provisions of this act.

Further amend said bill by striking out section 11 and inserting in place thereof the following new section.

11. *Water Regulating Committees.* Said board shall appoint a committee or committees of such number as it may determine to regulate and direct the release of stored water from each reservoir at such times and in such quantities as shall be most beneficial to water users under contracts entered into pursuant to the provisions of section 7 hereof and not inconsistent with the public use and benefit and shall not interfere with or obstruct the flow of stored water released from any present or future water storage or conservation reservoirs located upstream from such project; provided that such regulation of use by such committees shall be subject to the provisions of any agreement of the corporation with water users or bond holders. The members of such committee shall continue as such during the pleasure of the board, which shall promptly make new appointments whenever a vacancy occurs from any cause.

Further amend said bill by striking out the figures "1935" in the last line of section 12 and inserting in place thereof the figures, 1934, so that said section as amended shall read as follows:

12. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each city or town in which property or rights acquired by the corporation are located, of such sums as would have been assessed against said property and

rights in such city or town if the same had been included in the tax invoice for such year at the tax valuation of the same on April 1, 1934.

And further amend section 13 of said bill by striking out the words, "except the corporation" and inserting in its place the following, "but shall be payable solely from the revenues and monies of the corporation. The corporation may issue bonds which shall be obligations of the corporation generally, with or without the additional security of a pledge of specific revenues, or it may issue bonds payable only out of the revenues specifically pledged for their payment," so that said section as amended shall read as follows:

13. *Bonds Authorized.* The board is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying the cost or portion thereof of any one or more of such projects. Except as provided in section 17 the bonds of the corporation shall not constitute a debt of the state or of any agency or political sub-division thereof, but shall be payable solely from the revenues and monies of the corporation. The corporation may issue bonds which shall be obligations of the corporation generally, with or without the additional security of a pledge of specific revenues, or it may issue bonds payable only out of the revenues specifically pledged for their payment. Any provision of any law to the contrary notwithstanding any bonds issued pursuant to this act shall be fully negotiable.

In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The board may in the resolution authorizing respective issues provide as to such bonds: (1) The manner of executing the bonds and coupons; (2) The form and denomination thereof; (3) Maturity dates, not more than fifty years from the date or dates of issue; (4) The interest rates thereon; (5) For redemption prior to maturity and the premium payable therefor; (6) The place or places for the payment of in-

terest and principal; (7) For registration if the Board deems such to be desirable; (8) For the pledging of all or any of the revenues as security for payment; (9) For the replacement of lost, destroyed, or mutilated bonds; (10) The setting aside of reserves and sinking funds and the regulation and disposition thereof; (11) For limitations on the issuance of additional bonds; (12) For the procedure, if any, by which the contract with the bondholders may be abrogated or amended; (13) For the manner of sale and price thereof; (14) For covenants against pledging any of the revenues of the projects in priority to such bonds; (15) For covenants fixing and establishing such prices, rates and charges for water and other services made available in connection with such project, so as to provide at all times, funds which will be sufficient (a) to pay all costs of operation and maintenance of such project, together with necessary repairs thereto, (b) to meet and pay the principal and interest of all such bonds as they severally become due and payable and (c) for the creating of such revenues for principal and interest of all such bonds and for the meeting of contingencies and the operation and maintenance of such projects, as the board shall determine; (16) For such other covenants as to such prices, rates and charges as the board shall determine; (17) For covenants as to the rights, liabilities, powers and duties arising upon the breach by the board of any covenant, condition or obligation; (18) For covenants as to the bonds to be issued and as to the issuance of said bonds in escrow or otherwise and as to the use and disposition of the proceeds thereof; (19) For covenants as to the use of its property, the maintenance and replacement thereof, the insurance to be carried thereon and the use and disposition of insurance money; (20) For limitations upon the exercise of the powers conferred upon the board by this act; (21) For the issuance of such bonds in series and for the respective priority of bond issues or series thereof, and (22) the performance by the corporation of any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the board as will tend

to make the bonds more marketable, notwithstanding that such acts or things may not be enumerated therein.

Mr. Graf of Manchester moved that the reading of the amendments be dispensed with.

The question being on the motion of Mr. Graf.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Graf of Manchester the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to accept the report of the committee of conference on the following entitled bills:

House Bill No. 305 (in new draft), An act to revise and amend the fish and game laws.

House Bill No. 336, An act relating to public employment of veterans.

The message further announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

The bill was read a first and second time and referred to the Committee on Public Health.

The message also announced that the Senate had passed the following resolution, in the passage of which it asked the concurrence of the House of Representatives:

WHEREAS, It appears that all legislative work may be easily accomplished by June 20th inst., therefore, be it

*Resolved*, By the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to final adjournment on Thursday, June 20th inst.,



at 5 o'clock in the afternoon, and be it further resolved that all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the resolutions.

On motion of Mr. Osborne of Sunapee business in order at 2 o'clock was made in order at the present time.

#### THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles made in order.

House Bill No. 192, An act relating to amendments to workmen's compensation.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch approved June 5, 1935.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. McDonough of Dover desired to be recorded as voting against the passage of the bill.

House Bill No. 458, An act to rehabilitate the State treasury for the loss of revenue suffered by the State.

The bill was read a third time.

The question being: Shall the bill pass?

(Discussion ensued)

Mr. McDonough of Dover asked for a division.

Mr. Stevenson of Exeter demanded the yeas and nays and the roll was called with the following result.

YEAS, 181

ROCKINGHAM COUNTY: Fitts, Benton, Cilley, Russell of Exeter, Stevenson, Carlton, Little of Hampstead, Perkins of Hampton, Lyford, Adams of Londonderry, Dondero, Kit-



tredge, Allen, Pray, Tucker, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Adams of Seabrook, Floyd, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Chabot, Keefe, Henderson of Durham, Gelinas of Farmington, Gotts, Cartier, Bergeron, Turcotte of Rochester, Greenfield, Boucher, Deschenes, Robinson of Somersworth, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Piper of Belmont, Hunt, Dodge, Hoyt of Laconia, Stafford, Cantin, Merrill of Laconia, Dow, Simpson of Laconia, Smart.

CARROLL COUNTY: Simpson of Bartlett, Davis, Thompson of Effingham, Banfield, Winkley, Hoyt of Sandwich, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Munroe, Danforth of Bradford, Tallman, Shaw, Robinson of Concord, Kemp, Blood, Boutwell, Mansur, Blake, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Maxham, Lee, Ahern, Ford, Buffum, Demers, Bean of Franklin, Dempsey, Peaslee of Henniker, Ball, Shepard, Vancore, Perkins of Pittsfield, Sanderson, Sanborn, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: Putnam of Antrim, Gilson, Locke of Deering, Chandler of Francestown, Avery, Matheson, Sym, Charois, Crowell, Craine, Wilson of Hollis, Emery, Knowlton, Wilson of Manchester, Gage, Graf, O'Reilly, Sweeney of Manchester, Ward 5, Cote, Turcotte of Manchester, Gelinas of Manchester, Holleran, Levallee, Van Vliet, Aubin, Soucy, Daniel of Manchester, Ward 13, Barnes, Maker, Weston, Woods, Danforth of Nashua, Fournier, Bouthillier, Thompson of New Ipswich, Jones of Pelham, Peaslee of Weare.

CHESHIRE COUNTY: Appleton, Firmin, Hanson, Callahan, Keating, Jones of Keene, Gates, Spaulding, Wardwell, Roche, Wiswall, Huntley, Bullock, Rice, Randall.

SULLIVAN COUNTY: Hutchins, Daly, Quimby, Thomas, Gaffney, Cutting, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Remick, Graham, Hardy, Hunter, Keyser, Merrill of Haverhill, Scruggs, Marden, Hoyt of Lebanon, Perley, Legassie, Lufkin, McLean, Cook, Averill.

COOS COUNTY: Bagley, Mason, Smith of Berlin, Ordway, Sullivan of Berlin, Brungot, Martel, Bixby, Dugas, Myler, Stiles, Chandler of Gorham, Willis, Morris, Hancock, Cole, Marshall.

## NAYS, 13

ROCKINGHAM COUNTY: Dagan, McNeil.

STRAFFORD COUNTY: Pomerleau, Durkin, McDonough of Dover, Lefavour, Tanner, Emerson of Rochester.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Courtemanche, Carignan, Lemire, Warren.

HILLSBOROUGH COUNTY: Moran of Nashua.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: None.

And a quorum of the House not being present at 11:18 o'clock the House was declared adjourned, the bill going over into unfinished business.

FRIDAY, JUNE 14, 1935.

The House met at 9 o'clock.

The following letter was read by the Clerk:

Bath, N. H., June 14, 1935.

Mr. George A. Maxham,

Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 9:01 o'clock the House adjourned.

MONDAY, JUNE 17, 1935.

The House met at 7:30 o'clock.

The following letter was read by the Clerk:

Bath, N. H., June 17, 1935.

Mr. George A. Maxham,  
Concord, N. H.

*Dear Sir:*

I shall be unable to attend the session on Monday evening.  
Will you kindly preside for me and oblige,

Yours respectfully,

AMOS N. BLANDIN,

*Speaker.*

There being no quorum present at 7:31 o'clock the House adjourned.

TUESDAY, JUNE 18, 1935.

The House met at 10 o'clock.

Prayer was offered by Rev. Erie Alton Ayer of Manchester.

#### IN CONVENTION

The two branches being in convention His Excellency the Governor delivered the following message.

#### GOVERNOR'S MESSAGE

Since I have been Governor hardly a day has gone by but what I have had some complaint with reference to Judge David C. Chase of Seabrook and the conduct of the court in that town or conditions arising as a result of actions down there. In all this time I have never had a single complaint regarding any of the remaining seventy-five municipal courts in this state.

It appears that the present state of affairs is not new. I am informed that during the preceding administration similar complaints were received and that investigations were made.

The criticism has not been local. Protests have been received not only from New Hampshire people but from visi-

tors to our State and from all over the eastern part of the United States.

It is an old adage that where there is a lot of smoke there must be fire.

Because of these complaints I brought this matter to the attention of the Executive Council and the Attorney-General's Department conducted an investigation. As a result of that investigation a conference was held with Attorney-General Johnston, Councilor Cooper and Judge Chase, and the situation was discussed in some detail. The Attorney-General and the Councilor recommended that Judge Chase tender his resignation as judge. He promised to give this his consideration but nothing further was heard from him.

Last week I wrote a letter to Judge Chase asking him to appear before the Governor and Council on official business on June 12. The Judge failed to appear but sent his attorney. The Judge was again requested to appear and did appear on June 13. At that time Judge Chase's attention was called to the disrepute that his court had fallen into and it was suggested that his resignation would be for the best interests of the State. We are expending tens of thousands of dollars annually to attract tourists from other states. Our recreational business is a substantial factor in the very life of our State. The great natural assets of which we have so many, the good will of the State which has been created over a long period of time and the effect of the thousands of good, hard New Hampshire dollars ought not to be nullified even in part by the actions of this one man.

The complaints against Judge Chase result from his conduct in relation to alleged violations of the law of the road and motor vehicle regulations. He has so administered the law as to create a feeling of injustice both among residents and non-residents and has created ill will and threats of retaliation in neighboring states.

He has apparently delegated the powers invested in him as judge to fix and take bail in criminal proceedings to police officers of the town of Seabrook. In numerous instances parties apprehended for alleged infractions of highway regu-

lations claim that the officers have taken small sums as bail without bringing them before Judge Chase, and printed receipts have been produced signed by the officers. Judge Chase admits having prepared forms for these receipts and caused them to be printed.

He has denied to respondents, particularly non-residents, the prompt and speedy hearing of the charges against them to which they were fairly entitled. In nearly all these minor cases hearing of the charges has been deferred and bail taken pending hearing. In many instances the records show that these minor infractions have been disposed of on pleas of nolo or guilty. In all such cases where Judge Chase personally took bail there would seem to be no reason why an immediate disposition of the charges could not have been made. Instead an elaborate system for the disposition of such cases has been developed. A summons is issued notifying the respondent when to appear and with the summons there is sent a printed notice advising the respondent that if it is a hardship for him to appear in person he may enter a plea of guilty by signing and returning the notice. The respondent is further notified that if he pleads guilty his case will then be disposed of by deducting from his bail deposit the fine, if any, the balance, if any, to be returned to him.

He, in conjunction with the local police, has administered the highway regulations as if they were revenue measures. Out of the total cases for the first three months of this year over two-thirds were for alleged failure to stop at a certain stop sign or were for alleged failure to keep to the right of the center of the highway. In all these cases, although first offenses, fines were imposed which under the law accrued to the town of Seabrook. He has been guilty of conduct unbecoming a judge and is lacking in judicial temperament. He has engaged in acrimonious correspondence with non-residents who have questioned his jurisdiction, threatening to fine them for contempt. He has been involved in bitter altercations with parties who have appeared before him seeking information or questioning his proceedings and in one instance produced a revolver and threatened to shoot his



interrogator, who was a mere boy, unless he immediately left the premises. This last instance is a matter of official record, the boy having received an award of damages for improper conduct at the hands of a Rockingham county jury.

What I have thus far said is a recital of admitted facts.

I feel that Judge Chase has so abused his powers and has been so lacking in judicial qualities as to bring his court into general rebuke. The parties complaining against him in many instances have referred to the proceedings by which they were fined as a "racket." On his appearance before the Governor and Executive Council he admitted his conduct as a judge had been such as to give his court an unsavory reputation throughout the Northeast. The numerous complaints leave no doubt as to the undesirable notoriety which this State has acquired through his actions.

A judge should be not merely upright, not merely honest and well intentioned, but should also so conduct his office as to be entitled to the confidence of the public. It is clearly apparent that Judge Chase no longer has the confidence of the general public and that he has survived his usefulness as a judge.

The Bill of Rights of the Constitution of New Hampshire, Article 8, declares:

"All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and at all times accountable to them."

Under the Constitution a public officer may be removed either by impeachment or by address for removal. To impeach it is necessary to show bribery, corruption, malpractice or maladministration of office. But the power of removal by address may be exercised whenever a public officer has so conducted himself as to render his continuance in office incompatible with the public good. The Attorney-General, the Assistant Attorney-General, the State Investigator, the Commissioner of Motor Vehicles, and the members of the Executive Council have been unanimous in their opinion that our State should no longer tolerate the present situation and that the public good requires the removal of

Judge Chase by your address. I am therefore requesting his removal by address.

The convention then arose.

#### LEAVES OF ABSENCE

Messrs. Sturtevant of Concord and Simpson of Bartlett were granted leaves of absence for the day on account of important business.

Mr. Molloy of Nashua was granted leave of absence for the day on account of illness.

Mr. Mitchell of Campton was granted leave of absence for the week on account of important business.

#### RESOLUTION

The following resolution was introduced:

To His Excellency H. Styles Bridges  
Governor of the State of New Hampshire

The Senate and House of Representatives in general court convened, satisfied that the public good requires that David C. Chase, Justice of the Municipal Court in Seabrook, should no longer hold and retain said office, respectfully address and request your Excellency with the advice and consent of the Council, to remove therefrom said David C. Chase.

Mr. Adams of Seabrook moved that the resolution be referred to a special committee consisting of the delegation from the county of Rockingham.

Mr. Wilson of Manchester moved as an amendment that the resolution be referred to a special committee of 10 members one from each county with instructions to report on Wednesday morning.

Mr. Adams of Seabrook accepted the amendment.

The question being on the amendment.

(Discussion ensued)

Mr. Cormier of Nashua moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Wilson.

On a *viva voce* vote the negative prevailed.

Mr. Wilson asked for a division.

A division being taken 109 members voted in the affirmative and 200 members voted in the negative and the motion did not prevail.

The question being on the motion of Mr. Adams of Seabrook.

(Discussion ensued)

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Adams of Seabrook.

On a *viva voce* vote the affirmative prevailed.

Mr. Stevenson of Exeter asked for a division.

A division being taken 284 members voted in the affirmative and 5 members voted in the negative and the motion prevailed.

#### UNFINISHED BUSINESS

On motion of Mr. Osborne of Sunapee the rules were suspended to allow consideration of unfinished business before the regular order.

Mr. Osborne of Sunapee called for the unfinished business House Bill No. 458, An act to rehabilitate the state treasury for loss of revenue suffered by the state.

The question being: Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Senate for concurrence.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch, reported the same under joint rule No. 6, with the following amendments and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the words and figures "approved June 5, 1935".

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Commission.* Amend section 2 of chapter 108 of the Laws of 1935, approved June 5, 1935, by striking out the whole of said section and inserting in place thereof the following:

Further amend section 1 of said bill by striking out the 46th to 50th lines, inclusive and inserting in place thereof the following:

2. *Bonds.* Amend the second sentence of section 3 of said chapter 108 by striking out the words "except the commission" and inserting in place thereof the words, but shall be payable solely from the revenues of the tramway,

Further amend section 1 of said bill by striking out lines 55 to 65, inclusive, and inserting in place thereof the following:

3. *Operation of Tramway.* Amend section 7 of said chapter 108 by striking out the whole of said section and inserting in place thereof the following:

Further amend section 1 of said bill by striking out the 81st and 82nd lines and inserting in place thereof the following:

4. *Agreements.* Amend said chapter 108 by adding after section 7 the following new sections:

Further amend said bill by numbering the paragraphs beginning in lines 83, 98, 110, 120, and 125 as follows: 7-a, 7-b, 7-c, 7-d, 7-e.

Further amend said bill by striking out lines 129 and 130.

On motion of Mr. Wilson of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 305, An act to revise and amend the fish and game laws, reported the same under joint rule No. 6, with the following amendments and the recommendation that the bill as amended ought to pass.

Amend chapter 198 of the Public Laws, as inserted by said bill by striking out the words "Part VII section 24 of this act" in section 8 of said chapter and inserting in place thereof the following: sections 12 and 13 hereof.

Amend section 9 of chapter 198 of the Public Laws as inserted by said bill by striking out the words "Part VII section 23 of this act" and inserting in place thereof the words: section 12 hereof.

Amend section 12, chapter 198 of the Public Laws, as inserted by said bill by striking out the words "Part II section 10" and inserting in place thereof the words: section 9 hereof.

In the following sections and chapters as inserted by said bill change the word "act" to the word title; wherever it occurs:

Section 2, chapter 197;

Section 46, chapter 197;

Section 20, chapter 201;

Sections 1, 5, 13, 17 and 21, chapter 203.

On motion of Mr. Wilson of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. McLean of Plymouth for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Coakley of Concord for the Committee on Liquor Laws, to whom was referred Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wilson of Manchester for the Committee on Rules,



reported the following joint resolution, House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim, with the recommendation that the joint resolution be referred to the Committee on Public Improvements.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Neal of Meredith the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 452, An act relating to maternal and child health and child welfare, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out in line 12 the words, Boards of;

Amend section 2 by striking out in lines 12 and 13 the words, "Boards of Welfare and Relief, Health, and Education" and inserting in place thereof the words, Board of Health;

Further amend section 2 by striking out in lines 14 and 15 the words, "other federal, state and local agencies and organizations" and inserting in place thereof the words, with the State Board of Education;

Further amend section 2 by inserting after the word "and" in line 16 the words, with the State Board of Welfare and Relief, so that said section as amended shall read as follows:

2. *Child Welfare.* The State Board of Health shall cooperate with the Children's Bureau of the United States Department of Labor and with the State Board of Education, in promoting the vocational rehabilitation of physically handicapped children, and with the State Board of Welfare

and Relief in establishing and strengthening in rural areas public welfare services for the protection and care of homeless, dependent and neglected children, and children in danger of becoming delinquent.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Hunter of Hanover for the Committee on Appropriations, to whom was referred House Bill No. 178, An act constituting a State police force, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Division of State Police.* There shall be in the department of motor vehicles a division of state police under the general supervision of the commissioner of motor vehicles and the executive direction of a superintendent.

2. *Superintendent.* The governor and council shall appoint and may for cause after notice and hearing, remove the superintendent. He shall serve for a term of six years and until his successor is appointed and qualified. His salary shall be \$3,250.00 per year.

3. *Bond.* The superintendent shall give a bond in the sum of twenty thousand dollars with surety or sureties approved by the governor, conditioned upon the faithful performance of the duties of his office, the safety of all property entrusted to his care, and the surrender thereof to his successor or other person lawfully entitled to receive the same. The premium for such bond shall be paid by the state.

4. *State Police Force.* A state police force of not to exceed sixty members shall be appointed by the superintendent with the approval of the commissioner. The duties of said force shall be primarily the patrol of the highways of the state, except that not more than ten members thereof may be assigned to general police duties in accordance with the provisions of this act.

5. *Qualifications.* No applicant shall be appointed to the state police force until he has passed a rigorous physical

and mental examination, nor unless he is a citizen of the United States, of good moral character and between the ages of 21 and 45 years. All such appointments and promotions shall be made upon a merit basis, provided, however, that any person who has been in the employ of the motor vehicles department as inspector or investigator at any time during the twelve months preceding the passage of this act shall be eligible for appointment to the state police force regardless of age limitation, and shall be given preference in appointment thereto.

6. *Purposes; Powers; Duties.* The division of state police is established for the purpose of assisting in law enforcement, the preservation of the peace, prevention and detection of crime, the apprehension of criminals and adequate patrol of the highways of the state, provided that the state police force shall not be used or called upon for service in any industrial dispute unless actual violence has occurred therein, and then with written order of the governor. The various members of the state police force shall have power to make arrests without warrant for the violation of law which they may witness, and to serve and execute warrants issued by federal, state or local authorities. They shall have the powers and prerogatives conferred by law upon members of the police force of cities and constables of towns. They may arrest without warrant and on view in any part of the state a person found violating any law, take such person before a magistrate having jurisdiction for trial and detain such person in custody at the expense of the state until opportunity is given to notify a prosecuting officer if necessary, who shall forthwith prosecute such offender.

7. *Equipment.* The superintendent shall provide for the force suitable uniforms, arms and equipment, including, where necessary, transportation facilities.

8. *Blanks.* The superintendent shall furnish suitable blanks to the officers of the courts in the State, on which the clerks or justice of such courts shall make reports to the superintendent of all cases tried by them for violation of all state laws.

9. *Regulations.* Subject to the approval of the commissioner the superintendent may make rules and regulations for the control of the police force including matters pertaining to their organization and discipline.

10. *Clerical Force.* The superintendent may employ such clerical force as the governor and council may approve.

11. *Expenses.* The entire cost of the division of state police shall be charged against the revenue of the motor vehicles department.

12. *Saving Clause.* This act shall not operate to repeal any substantive laws relating to motor vehicles, but shall operate to vacate on June 30, 1935 the offices of examiners appointed under the provisions of section 10 of chapter 99 of the Public Laws.

13. *Amendment.* Amend chapter 16 of the Public Laws by striking out sections 13a and 13d as inserted by chapter 152 of the laws of 1933, and inserting the following new sections in place thereof: 13a. *Investigator, Assistants.* The attorney-general, subject to the approval of the governor and council, may employ an investigator and not more than two assistants to assist him in the apprehension of criminals. The salary of the investigator shall not exceed \$3,000.00, and that of the assistants not more than \$2,400.00 a year.

13d. *Reports Required.* The clerks of the superior and municipal courts, or if there is no clerk the justice thereof, sheriffs, deputy sheriffs, police officers, jailers and superintendents of houses of correction are hereby required to secure and forward to the attorney-general all such information as he may direct relative to persons brought before said courts or arrested or in the custody of such officers in criminal proceedings. The attorney-general and the commissioner of motor vehicles shall direct their respective departments to establish cooperative services to the end that the law enforcement agencies of the state will be the better served.

14. *Takes Effect.* All acts and parts of acts inconsistent with this act are hereby repealed, and this shall take effect upon its passage provided that the activities of the state police shall begin on July 1, 1935.

The report was accepted.



On a *viva voce* vote the amendment was not adopted.

Mr. Perley of Lebanon moved that the bill be indefinitely postponed.

On a *viva voce* vote the Chair was in doubt.

Mr. Perley asked for a division.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being

Shall the bill be indefinitely postponed?

A division being taken 170 members voted in the affirmative and 115 members voted in the negative and the bill was indefinitely postponed.

Mr. Kearns of Manchester moved that the rules be suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *County Bonds Authorized.* The county commissioners of Hillsborough county are hereby authorized to issue, for and in behalf of said county, serial coupon bonds in the total amount of six hundred thousand dollars (\$600,000), for the purpose of refunding a like amount of outstanding floating indebtedness, including various notes and any refundings or renewals of all or any portion thereof heretofore or hereafter made, and to reimburse the county treasurer for any funds advanced therefrom temporarily to pay any portion of said floating indebtedness, pending the receipt of proceeds of bonds or notes authorized by this act. Said bonds shall be payable to bearer, shall be dated July 1, 1935, shall be in the denomination of one thousand dollars (\$1,000)



each, shall mature thirty thousand dollars (\$30,000) each year for the next succeeding twenty years, shall bear interest at a rate not to exceed five per cent per annum, payable semi-annually, and shall bear the county seal.

2. *Execution.* Each bond shall be designated Hillsborough County Funding Bond, shall be signed by the county commissioners or by a majority thereof, countersigned by the county treasurer, and bear on face a certificate of registration signed by the clerk of the superior court of said county. The coupons annexed shall bear the facsimile signature of the county treasurer. Said county commissioners may sell at less than par or at not less than par said bonds at public sale after publication of notice at least once each week for three successive weeks, the first publication being at least twenty-one days before the time of opening of bids, reserving, however, the right to reject any and all bids, and may sell at private sale all or any of said bonds not thus sold, at less than par or at not less than par. Other particulars as to the form, issuance and sale of bonds not fixed herein or by vote of the commissioners may be determined by the county treasurer.

3. *Presumption.* Bonds and notes herein authorized purporting on face to be issued by virtue and in pursuance of this act, shall, in favor of bona fide holders be conclusively presumed to have been authorized and issued in accordance with provisions herein contained; and no holder thereof shall be obliged to see to the application of the proceeds. The county shall annually raise by taxation a sum sufficient to pay the amounts of principal and interest of said bonds payable each year.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The reading of the amendment having commenced on motion of Mr. Kearns of Manchester the further reading was dispensed with.

The amendment was then adopted and the bill ordered to a third reading.

On motion of Mr. Wilson of Manchester the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

Mr. Wilson moved that the rules be further suspended and the bill made in order for a third reading by its title at the present time.

The question being on the motion of Mr. Wilson.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Stevenson of Exeter the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 465, An act relating to narcotics, with the recommendation that the bill be referred to the Committee on Public Health.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Public Health.

Mr. Leahy of Claremont presented the following report.

The Committee of Conference, to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line, having considered the same, report the

same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALBERT D. LEAHY,  
DARWIN LOMBARD,  
CHARLES B. HOYT,  
*House Conferees.*  
WILLIAM M. COLE,  
ARTHUR W. BROWN,  
*House Conferees.*

The question being upon the recommendation of the committee.

(Discussion ensued)

Mr. Callahan of Keene moved that the joint resolution be indefinitely postponed.

Mr. Smart of Tilton moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Callahan.

On a *viva voce* vote the affirmative prevailed.

Mr. Leahy of Claremont asked for a division.

A division being taken 150 members voted in the affirmative and 76 members voted in the negative.

Mr. Leahy of Claremont demanded the yeas and nays and with a demand pending moved that the report be laid upon the table and made a special order for Wednesday, June 19 at 10:01 a. m.

On a *viva voce* vote the affirmative prevailed.

#### RESOLUTION

On motion of Mr. Smart of Tilton.

*Resolved*, That the committee consisting of the delegation from the county of Belknap to whom was referred House Bill No. 235, An act prohibiting the discharge of sewerage and other waste into lakes Winnisquam and Opechee and providing for the construction of sewage treatment plants, be ordered to report this bill to-morrow morning.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in the passage of the following resolution, sent up from the House of Representatives:

*Resolved*, That the Speaker of the House appoint a committee of five, and the Senate be invited to concur and appoint a committee of three, to study the possibilities of an income tax law and present a bill to this or any future session of the legislature.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington.

House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap.

House Bill No. 461, An act authorizing the county of Grafton to issue bonds.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on the following joint resolutions and the President appointed as conferees on the part of the Senate Senators McLeod and Doe.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on the following House bill and the President appointed as conferees on the part of the Senate Senators Wiley and Barrett.

House Bill No. 330, An act relative to the taking of fish from certain waters.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

Amend the joint resolution by striking out the words, one thousand and fourteen dollars (\$1,014), after the word, sum, in line 1 and inserting in place thereof the words, seven hundred ninety-nine dollars and forty-five cents (\$799.45), so that the bill as amended shall read as follows:

That the sum of seven hundred ninety-nine dollars and forty-five cents (\$799.45) be and hereby is appropriated to reimburse the town of Holderness for expense paid out on account of injuries received by S. Charles Kendall while working on the state-aid road in Holderness June 22, 1933. Said sum shall be a charge upon the highway fund.

On motion of Mr. Martin of Holderness the House voted to non-concur in the amendment sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee on



the part of the House Messrs. Martin of Holderness, Hunter of Hanover, and Osborne of Sunapee.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 220, An act relating to diseases of domestic animals.

Amend section 3 of said bill by striking out the first three lines and inserting in place thereof the following:

3. *Condemned Horses and Cattle.* Amend section 57 of chapter 187 of the Public Laws by striking out the whole of said section and inserting in place thereof the following: 57. *Payment.* The state shall

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 422, An act to repeal charters of certain corporations.

Amend said bill by adding at the end thereof the following new section:

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 74, An act providing for a special vote in the town of Errol.

Senate Bill No. 77, An act providing for a change of name for the forestry commission.

## SENATE BILLS READ AND REFERRED

Senate Bill No. 72, An act providing for a special vote in the town of Errol.

The bill was read a first and second time.

On motion of Mr. Coakley of Concord the rules were suspended and the reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 77, An act providing for a change of name for the forestry commission.

The bill was read a first and second time and referred to the Committee on Forestry.

On motion of Mr. Keefe of Dover at 1:45 o'clock the House took a recess until 1:55 o'clock.

(After recess)

## MILEAGE ROLL

Mr. Quimby of Claremont for the Committee on Mileage presented the following report.

*Resolved*, That each member and officer of the Senate and House of Representatives be allowed the number of miles set opposite his or her name in the accompanying list, and that the Clerk be instructed to make the mileage roll in accordance therewith.

*Rockingham County*

Henry F. Dagan, Auburn	450	\$90.00
John W. Stevens, Brentwood	250	50.00
Milton R. Stevens, Candia	100	20.00
George L. Fitts, Chester	700	140.00
Carl M. Fogg, Deerfield	500	100.00
Austin E. Carlton, Fremont	350	70.00
Adin S. Little, Hampstead	1,000	200.00
Herbert Perkins, Hampton	350	70.00
Louis J. Janvrin, Hampton Falls	500	100.00

James A. Lyford, Kingston	150	\$30.00
Frederick M. Pickering, Newington	250	50.00
A. Ralph Estabrook, Newton	100	20.00
Irving W. Marston, North Hampton	450	90.00
William F. Mudge, Northwood	500	100.00
James R. McNeil, Portsmouth	100	20.00
Carl Manor, Salem	125	25.00
Elihu T. Adams, Seabrook	750	150.00
Rufus B. Floyd, South Hampton	200	40.00

*Strafford County*

Clarence B. Locke, Barrington	700	140.00
Albert J. Pomerleau, Dover	100	20.00
William E. Gelinas, Farmington	900	180.00
Ernest E. Lefavour, Farmington	900	180.00
Stanley C. Tanner, Milton	900	180.00
Thomas H. Gotts, Rochester	150	30.00
George Y. Emerson, Rochester	500	100.00
Dennis E. Brennan, Rochester	500	100.00
Rudolph G. Cartier, Rochester	600	120.00
Louis S. Bergeron, Rochester	600	120.00
Hervey E. Turcotte, Rochester	600	120.00
Spencer Dickinson, Rochester	500	100.00
Placide J. Lagueux, Somersworth	250	50.00
John R. Hodsdon, Somersworth	250	50.00
Alfred J. Boucher, Somersworth	250	50.00
Frank Deschenes, Somersworth	250	50.00
Edward L. Flanagan, Somersworth	250	50.00
Thomas P. Robinson, Somersworth	250	50.00
William J. Elson, Strafford	650	130.00

*Belknap County*

Harry E. Little, Barnstead	100	20.00
Fred H. Piper, Belmont	350	70.00
Perry E. Hunt, Gilford		
Ralph G. Page, Gilmanton	500	100.00
Frank C. Plastridge, New Hampton	300	60.00
John S. Wallis, Sanbornton	250	50.00

*Carroll County*

Scott C. W. Simpson, Bartlett	2300	\$460.00
Perley W. Mudgett, Conway	2200	440.00
George W. Russell, Conway	2250	450.00
John G. Thompson, Effingham	1500	300.00
Arthur P. Gale, Jackson	2600	520.00
George A. Lyman, Madison	1700	340.00
Charles W. Banfield, Moultonborough	500	100.00
Mark H. Winkley, Ossipee	1800	360.00
Charles B. Hoyt, Sandwich	800	160.00
Charles B. Weeks, Tamworth	1500	300.00

*Merrimack County*

Ernest W. Morgan, Bow	150	30.00
William C. Tallman, Canterbury	250	50.00
George O. Robinson, Concord	125	25.00
George W. Kemp, Concord	150	30.00
Francis H. Buffum, Dunbarton	400	80.00
Emile Carignan, Franklin	100	20.00
Eusebe P. Lemire, Franklin	100	20.00
Charles H. Bean, Franklin	100	20.00
John Patrick Dempsey, Franklin	100	20.00
Charles L. Merrill, Loudon	300	60.00
Oscar A. Colburn, Newbury	175	35.00
Charles E. Shepard, New London	425	85.00
Foster G. Warren, Pembroke	200	40.00
Robert H. Sanderson, Pittsfield	100	20.00
Burton F. Sanborn, Salisbury	250	50.00
William B. Connor, Sutton	450	90.00
Ernest Howard, Wilmot	300	60.00

*Hillsborough County*

Albert C. Hodgman, Bedford	200	40.00
James Herbert Gilson, Brookline	650	130.00
Leroy H. Locke, Deering	225	45.00
Joseph H. Chandler, Francestown	250	50.00
William Sym, Goffstown	150	30.00
Bernardette E. Charois, Greenville	350	70.00

Henry A. Wilson, Hollis	450	\$90.00
Arthur W. Smith, Hudson	150	30.00
John A. Reid, Litchfield	450	90.00
Edward T. Knowlton, Manchester	100	20.00
Charles Henry Barnard, Manchester	100	20.00
Harry W. Bergholtz, Manchester	100	20.00
Michael J. Dwyer, Manchester	150	30.00
Jeremiah J. Tobin, Manchester	200	40.00
William F. Clancy, Manchester	175	35.00
Arthur J. Connelly, Manchester	100	20.00
Daniel F. Healy, Manchester	100	20.00
John Joseph Sullivan, Manchester	100	20.00
Zoel F. Charland, Manchester	200	40.00
Francis A. Farrell, Manchester	100	20.00
Joseph A. Bernier, Manchester	125	25.00
Frank J. Bolton, Manchester	100	20.00
Edward F. Bouthiette, Manchester	125	25.00
Joseph O. Gelinas, Manchester	100	20.00
Martin Holleran, Manchester	125	25.00
Peter J. McDonough, Manchester	100	20.00
J. Vincent Moran, Manchester	125	25.00
Walter J. T. Richard, Manchester	100	20.00
Francis L. Gallagher, Manchester	125	25.00
Oscar E. Getz, Manchester	100	20.00
Bernard T. McLaughlin, Manchester	100	20.00
Arthur Blanchette, Manchester	100	20.00
George E. Desruisseaux, Manchester	100	20.00
Alpha J. Letendre, Manchester	100	20.00
Horace Brouillette, Manchester	100	20.00
J. Felix Daniel, Manchester	100	20.00
Wilfred S. Lariviere, Manchester	100	20.00
Charles L. Barnes, Mason	650	130.00
Willard P. Woods, Mont Vernon	250	50.00
William J. Fowell, Nashua	150	30.00
Charles I. Woodbury, Nashua	100	20.00
George E. Danforth, Nashua	100	20.00
Wilbrod E. Francoeur, Nashua	125	25.00
John E. Bernard, Nashua	125	25.00



Frank Boilard, Nashua	125	\$25.00
John Letendre, Nashua	125	25.00
John C. Barry, Nashua	125	25.00
John D. Dugan, Nashua	150	30.00
Abraham J. Charbonneau, Nashua	150	30.00
Henry A. Dion, Nashua	150	30.00
Albert Maynard, Nashua	150	30.00
Paul A. Moran, Nashua	150	30.00
Theodore O. Ravenelle, Nashua	150	30.00
Thomas W. Hough, Nashua	150	30.00
Gerard R. Lavigne, Nashua	150	30.00
William F. Maddox, Nashua	150	30.00
Arthur O. Bourque, Nashua	175	35.00
Rudolphe Cormier, Nashua	175	35.00
James H. Glynn, Nashua	175	35.00
William A. Molloy, Nashua	200	40.00
Paul E. Bouthillier, Nashua	175	35.00
Roland R. Desmarais, Nashua	175	35.00
Charles E. Baker, New Boston	400	80.00
William T. Thompson, New Ipswich	550	110.00
Albert H. Jones, Pelham	300	60.00
Philip C. Heald, Wilton	350	65.00

*Cheshire County*

Henry LeRoy Estabrook, Alstead	1250	250.00
Ralph C. Chickering, Chesterfield	900	180.00
Arthur T. Appleton, Dublin	300	60.00
Julius H. Firmin, Fitzwilliam	650	130.00
William B. Hanson, Gilsum	450	90.00
John N. Clark, Harrisville	600	120.00
Walker S. Kimball, Hinsdale	1100	220.00
James B. Perry, Jaffrey	125	25.00
Leon E. Wiswall, Marlborough	800	160.00
Fred G. Huntley, Marlow	800	160.00
Stephen A. Bullock, Richmond	725	145.00
Harris H. Rice, Rindge	100	20.00
William R. Granger, Swanzey	300	60.00
Herman H. Perry, Swanzey	550	110.00

Don W. Randall, Troy	450	\$90.00
John W. Graves, Walpole	900	180.00
Donald J. Kiniry, Walpole	1100	220.00
Glenn E. Britton, Westmoreland	700	140.00
Eli J. Horner, Winchester	850	170.00
Arthur P. Read, Winchester	450	90.00

*Sullivan County*

Charles S. Hutchins, Charlestown	600	120.00
Edwin A. Thomas, Claremont	200	40.00
William L. Gaffney, Claremont	200	40.00
Eben M. Johnson, Cornish	400	80.00
Asa D. Cutting, Croydon	250	50.00
Wilfred A. Reney, Grantham	550	110.00
Fred A. Barton, Lempster	600	120.00
Palmer C. Read, Plainfield	450	90.00
Leo L. Osborne, Sunapee	150	30.00
George B. Cram, Unity	200	40.00
Charles H. Emerson, Washington	625	112.50

*Grafton County*

Walter J. Yeaton, Benton	600	120.00
Harry A. Goodwin, Bethlehem	300	60.00
Lester E. Mitchell, Campton	350	70.00
Joseph L. Graham, Canaan	350	70.00
Oliver L. Bowles, Easton	1250	250.00
Arthur W. Sawyer, Franconia	1375	275.00
Alfred W. Guyer, Hanover	250	50.00
Edgar Hayes Hunter, Hanover	250	50.00
Mark K. Marden, Holderness	250	50.00
Joseph B. Perley, Lebanon	250	50.00
William E. Bishop, Lisbon	150	30.00
William A. Astle, Littleton	1000	200.00
Herbert S. Lewis, Littleton	1000	200.00
Charles E. Magoon, Littleton	1000	200.00
George R. Simpson, Littleton	1000	200.00
Anthony Burgault, Lyman	400	80.00
Edgar C. Lufkin, Orford	500	100.00
Richard J. McLean, Plymouth	100	20.00

*Coos County*

Hilda C. F. Brungot, Berlin	200	\$40.00
Darwin Lombard, Colebrook	1400	280.00
Lynn M. Gray, Columbia	1650	330.00
Ernest E. Whitcomb, Dalton	550	110.00
Bessie G. Stiles, Dummer	700	140.00
Charles A. Chandler, Gorham	100	20.00
Merton M. Willis, Gorham	100	20.00
George W. Towle, Jefferson	1650	330.00
Frank M. Hancock, Milan	400	80.00
Willie N. Judd, Pittsburg	2200	440.00
Albert L. Fuller, Stewartstown	1700	340.00
Edward B. Fuller, Stratford	400	80.00

*Senators*

Winfred C. Burbank, Winchester	725	145.00
Honore E. Bouthillier, Nashua	175	35.00
John E. Barrett, Manchester	150	30.00
Aime Martel, Manchester	100	20.00
Arthur W. Brown, Hampton Falls	800	160.00

*Employees*

Guy S. Neal, Acworth	756	151.20
John P. Metcalf, Piermont	300	60.00
Arthur A. Tilton, Laconia	250	50.00
Harry S. Yeaton, New Castle	150	30.00
James W. Pridham, New Castle	175	35.00
Clarence Hunter, Manchester	100	20.00
Louis E. Gauthier, Manchester	100	20.00
Henry J. H. Parent, Nashua	175	35.00
George J. O'Neil, Nashua	200	40.00
John F. Clark, Manchester	100	20.00
Alice V. Flanders, Henniker	156	31.20
Bessie A. Callaghan, Manchester	200	40.00
Benjamin H. Bragg, Alstead	1250	250.00
Helen M. Young, Lochmere	132	26.40
Patrick H. O'Neil, Laconia	100	20.00
Charles M. Steele, Epsom	20	4.00

(superseded by House Bill No. 221)

The report was accepted.

The reading of the report having commenced on motion of Mr. Neal of Meredith the further reading was dispensed with.

On a *viva voce* vote the resolution was adopted.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in its amendments to Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels, and asked for a Committee of Conference and the President had appointed as conferees on the part of the Senate, Senators Condon and Burbank.

On motion of Mr. Keefe of Dover the House acceded to the request of the Honorable Senate and the Speaker appointed as members of such committee on the part of the House Messrs. Coakley of Concord, Stafford of Laconia, and Daly of Claremont.

The message further announced that the Senate refused to concur with the House of Representatives in the amendments to Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, and asked for a committee of conference, and the President has appointed as conferees on the part of the Senate, Senators Brown and Knowlton.

On motion of Mr. Keefe of Dover the House acceded to the request of the Honorable Senate and the Speaker appointed as members of such committee Messrs. Neal of Meredith, Henderson of Durham, and Shaw of Chichester.

On motion of Mr. Keefe of Dover at 6:28 o'clock the House adjourned.

#### AFTERNOON

The House was immediately called to order in afternoon session.

## THIRD READINGS

On motion of Mr. Callahan of Keene the rules were suspended and the third readings of bills by their titles and joint resolutions by their captions made in order.

House Bill No. 452, An act relating to maternal and child health and child welfare.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Jones of Lebanon at 6:31 o'clock the House adjourned.

---

WEDNESDAY, JUNE 19, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

## LEAVE OF ABSENCE

Mr. Letendre of Manchester was granted leave of absence for the day on account of important business.

## COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 306, An act to create a fish and game commission and to define its powers and duties.



House Bill No. 315, An act relative to aid for dependent mothers.

House Bill No. 413, An act relative to the powers of the superior court.

House Bill No. 425, An act relating to the establishment of the East Derry fire precinct.

House Bill No. 447, An act to establish the New Hampshire water resources board.

House Bill No. 459, An act relating to the issuance of bonds by the town of Farmington.

House Bill No. 460, An act relating to the issuance of bonds by the county of Belknap.

House Bill No. 461, An act authorizing the county of Grafton to issue bonds.

Senate Bill No. 70, An act relating to the Woodsville fire district.

House Joint Resolution No. 70, Joint resolution to reimburse the town of Hanover for part of its net expense in replacing the Ledyard bridge across the Connecticut river.

House Joint Resolution No. 88, Joint resolution for the improvement of a road in Rollinsford.

House Joint Resolution No. 127, Joint resolution in favor of Georgiana Nugent.

House Joint Resolution No. 159, Joint resolution in favor of the State treasurer's department, comptroller's department, legislative expense and State board of health.

The report was accepted.

Mr. Neal of Meredith for the Special Committee consisting of the delegation from the county of Belknap, to whom was referred House Bill No. 235, An act prohibiting the discharge of sewage and other wastes into Lakes Winnisquam and Opechee and providing for the construction of sewage treatment plants, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Weeks of Tamworth for the Special Committee con-

sisting of the delegation from the county of Carroll, to whom was referred House Bill No. 244, An act annexing certain islands in Lake Winnepesaukee to the town of Moultonborough, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Elson of Strafford for the Special Committee consisting of the delegation from the county of Strafford, to whom was referred House Bill No. 462, An act relating to temporary salary increases for the commissioners of Strafford county, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Committee of Conference, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,

*House Conferees.*

D. McLEOD,  
HAVEN DOE,

*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

The Committee of Conference, to whom was referred House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer, of Thornton, having considered the same, reported the same with the recommendation that the House

recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

The Committee of Conference, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

The Committee of Conference, to whom was referred House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington, having considered the same, reported the same with the recommendation that the House

recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

The Committee of Conference, to whom was referred House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,  
*House Conferees.*

D. McLEOD,  
HAVEN DOE,  
*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

The Committee of Conference, to whom was referred House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim, having considered the same, reported the same with the recommendation that the House recede

from its position of non-concurrence and concur in the adoption of the amendment sent down by the Senate.

ALCIDE COURTEMANCHE,  
GEO. A. MAXHAM,  
RODOLPHE CORMIER,

*House Conferees.*

D. McLEOD,  
HAVEN DOE,

*Senate Conferees.*

On a *viva voce* vote the report was accepted and the recommendation of the committee adopted.

The joint resolution was then sent to the Secretary of State to be engrossed.

Mr. Thayer of Epping for the delegation from the county of Rockingham to whom was referred An address for the removal of David C. Chase, Judge of the Municipal Court of the town of Seabrook, having considered the same, reported the same with the recommendation that said David C. Chase be removed from office.

The report was adopted.

The undersigned, a minority of the delegation from the county of Rockingham to whom was referred An address for the removal of David C. Chase, Judge of the Municipal Court of the town of Seabrook, having considered the same and being unable to agree with the majority, reported the same with the recommendation that said David C. Chase should not be removed from office.

CARL M. FOGG,  
ELIHU T. ADAMS,  
FREDERICK M. PICKERING,  
LOUIS B. JANVRIN,  
JAMES A. LYFORD,  
HENRY F. DAGAN,

*A minority of the Committee.*

Mr. Adams of Seabrook moved that the report of the minority be substituted for the report of the majority.

The question being on the motion of Mr. Adams.

(Discussion ensued)



## PERSONAL PRIVILEGE

Mr. Keefe of Dover rose to a question of personal privilege and moved that Mr. Adams of Seabrook having already spoken, he be allowed to make an additional statement.

On a *viva voce* vote the affirmative prevailed.

Mr. Cote of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Adams.

Mr. Callahan of Keene demanded the yeas and nays and the roll was called with the following result.

## YEAS, 42

ROCKINGHAM COUNTY: Dagan, Fogg, Thayer, Janvrin, Lyford, Pickering, Adams of Seabrook.

STRAFFORD COUNTY: Durkin, Howard of Dover, McDonough of Dover.

BELKNAP COUNTY: Carroll, Hoyt of Laconia, Cantin, Merrill of Laconia, Simpson of Laconia, Smart.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Tallman, Matott, Wylie, Demers, Carignan, Lemire, Bean of Franklin, Dempsey, Shepard, Warren, Sanborn.

HILLSBOROUGH COUNTY: Locke of Deering, Gage, Sweeney of Manchester, Ward 5, Peloquin, Bolton, McDonough of Manchester, Moran of Nashua.

CHESHIRE COUNTY: Callahan, Huntley.

SULLIVAN COUNTY: Thomas.

GRAFTON COUNTY: Jones of Lebanon, McNamara, Burgault.

COOS COUNTY: Bell, Ordway.

## NAYS, 289

ROCKINGHAM COUNTY: Stevens of Brentwood, Stevens of Candia, Fitts, Abbott of Derry, Hepworth, Pillsbury, Foss, Benton, Cilley, Russell of Exeter, Stevenson, Carlton, Brackett, Little of Hampstead, Perkins of Hampton, Adams of

Londonderry, Turcotte of Newmarket, Estabrook of Newton, Marston of North Hampton, Mudge, Peaslee of Plaistow, Barrett, Kittredge, Allen, Pray, Tucker, Yeaton of Portsmouth, Harmon, Abbott of Portsmouth, Eliot of Raymond, Marston of Rye, Manor, Peever, Floyd, Chase, Emerson of Windham.

STRAFFORD COUNTY: Locke of Barrington, Chabot, Garland, Neal of Dover, Hall of Dover, Keefe, Durnin, Henderson of Durham, Gelinas of Farmington, Lefavour, Tanner, Gotts, Emerson of Rochester, Cartier, Dickinson, Greenfield, Seavey, Tighe, Elson.

BELKNAP COUNTY: Varney, Little of Barnstead, Piper of Belmont, Hunt, Page, Beane of Laconia, Guay, Strafford, Dow, Neal of Meredith, Wallis.

CARROLL COUNTY: Davis, Mudgett, Russell of Conway, Thompson of Effingham, Gale Banfield, Winkley, Hoyt of Sandwich, Weeks, Hilliard, Young, Clow, Hart.

MERRIMACK COUNTY: Courtemanche, Reardon, Morgan, Danforth of Bradford, Shaw, Coakley, Robinson of Concord, Kemp, Blood, Boutwell, Mansur, Dame, Nash, Saltmarsh, Sturtevant, Tilton, Freeman of Concord, Maxham, Lee, Ahern, Ford, Buffum, Piper of Franklin, Peaslee of Henniker, Lafond, Stobie, Ball, Merrill of Loudon, Colburn, Vancore, Perkins of Pittsfield, Sanderson, Connor, Cloues, Howard of Wilmot.

HILLSBOROUGH COUNTY: McNamee, Putnam of Antrim, Hodgman, Pierce, Gilson, Chandler of Francestown, Avery, Matheson, Sym, Crowell, Boynton, Craine, Wilson of Hollis, Goodwin of Hudson, Smith of Hudson, Reid of Litchfield, Daniels of Manchester, Ward 1, Emery, Knowlton, Wilson of Manchester, Barnard, Bergholtz, Graf, McIntire, Dwyer, Talty, Clougherty, Corey, Fitzgerald, Mahoney of Manchester, Ward 4, Cote, Turcotte of Manchester, Bouthiette, Lavallee, Gallagher, Kearns, Van Vliet, Aubin, Blanchette, Desruisseaux, Gelinas of Manchester, Moran of Manchester, Driscoll, Soucy, Daniel of Manchester, Ward 13, Ladouceur, Lambert, Barnes, Maker, Howison, Wadleigh, Weston, Woods, Fowell, Winslow, Woodbury, Danforth of Nashua, Francoeur,

Bernard, Letendre of Nashua, Barry of Nashua, Dion, Hough, Lavigne, Maddox, Cormier, Glynn, Bouthillier, Desmarais, Baker, Thompson of New Ipswich, Mercer, Peaslee of Weare.

CHESHIRE COUNTY: Estabrook of Alstead, Chickering, Appleton, Firmin, Kimball, Hammond, Perry of Jaffrey, Keating, Jones of Keene, Gates, Hilton, Wardwell, Wiswall, Bullock, Rice, Granger, Perry of Swanzey, Randall, Graves, Kiniry, Britton, Read of Winchester.

SULLIVAN COUNTY: Hutchins, Daly, Etsler, Quimby, Stetson, Gaffney, Johnson, Cutting, Reney, Barton, Bailey, Cummings of Newport, Downing, Farmer, Read of Plainfield, Osborne, Emerson of Washington.

GRAFTON COUNTY: Yeaton of Benton, Goodwin of Bethlehem, Remick, Graham, Bowles, Hardy, Sawyer of Franconia, Williams, Guyer, Hunter, Putnam of Hanover, Merrill of Haverhill, Scruggs, Marden, Hathorn, Hoyt of Lebanon, Millen, Perley, Bishop, Parker, Astle, Simpson of Littleton, Grant, Lufkin, McLean, Merrill of Plymouth, Cook, Averill, Sawyer of Woodstock.

COOS COUNTY: Bagley, Barden, Mason, Smith of Berlin, Henderson of Berlin, Palmer, Sullivan of Berlin, Brungot, Dahl, Martel, Bixby, Dugas, Myler, Lombard, Ramsay, Gray, Whitcomb, Stiles, Chandler of Gorham, Willis, Morris, Thompson of Lancaster, Hancock, Cole, Marshall, Judd, Phelan, Fuller of Stewartstown, Fuller of Strafford, Witcher. And the motion to substitute did not prevail.

On a *viva voce* vote the recommendation of the committee was adopted.

On motion of Mr. Wilson of Manchester the resolution and address were adopted and passed.

The address was then sent to the Senate for concurrence.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund, reported the same under joint rule No. 6, with the following amendment and recommended that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of seventeen thousand eight hundred dollars (\$17,800) is hereby appropriated and shall be paid to the treasurer of the New England Council in July, 1935, and a like sum is hereby appropriated and shall be paid to the treasurer of said Council in July, 1936. Said sums shall be for the purpose of paying the share of this state for the New England Council advertising fund. The governor is hereby authorized to draw his warrant for the sum of ten thousand dollars (\$10,000) in July, 1935, and a like sum in July, 1936, out of any money in the treasury not otherwise appropriated. The balance of the appropriation made hereunder, namely, seven thousand, eight hundred dollars (\$7,800) for each of two years, shall be a charge upon the appropriation provided for the state planning and development commission.

On motion of Mr. Osborne of Sunapee the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 454, An act relating to wages, salaries and fees paid by the State of New Hampshire.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 113, An act relating to weight of motor vehicles.

House Bill No. 303, An act to reimburse the Federal Government for emergency unemployment relief by forestry and general improvement work.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 450, An act relative to the improvement of Rye harbor.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

Amend the paragraph relative to the attorney-general's department by striking out the line relative to clerical expense \$9,800, and inserting in place thereof the following:

Salary of law clerk	\$1,800	
Salary of chief clerk	1,800	
Salary of research clerk	1,800	
Other clerical expense	4,400	
	<hr/>	\$9,800

Further amend said paragraph by striking out the figure \$2,800, "relative to fees to register of probate," and inserting in place thereof the figure, \$2,900. Further amend said paragraph by striking out the line "legacy tax expense" \$685, and inserting in place thereof the words and figures, Legacy tax expense and other litigation, \$785. Further amend said paragraph by striking out the total appropriation for said department, "\$31,820" and inserting in place thereof the total, \$32,020.

Amend the paragraph relative to Department of Forestry by striking out the figures \$6,100.00, relative to salaries for recreational development, and inserting in place thereof the figures \$7,600.00. Further amend said paragraph by striking out the total appropriation for said department \$72,-040.00 and inserting in place thereof the total \$73,540.00.

Amend the paragraph relative to the Industrial School by



striking out the figures \$4,240.00 for clerical expenses and inserting in place thereof the figures \$4,280.00.

Further amend said paragraph relative to other expenses by striking out the figures \$5,550.00 and inserting in place thereof the figures \$6,000.00.

Further amend said paragraph by striking out the total appropriation for said department \$82,550.00 and inserting in place thereof the total \$83,090.00.

Amend the paragraph relative to the Board of Health by striking out the figures \$4,575.00 relative to other expenses for director of sanitation, and inserting in place thereof the figures \$4,825.00.

Further amend said paragraph by striking out the total appropriation for said department \$74,510.00 and inserting in place thereof the figures \$74,760.00.

Amend the paragraph relative to the N. H. Public Library Commission by adding after the clerical expenses of \$1,250.00 the following salary of a stenographer \$900.00. Salary of a field worker \$1,000.00.

Further amend said paragraph by striking out the figures \$760.00 and inserting in place thereof the figures \$1,660.00.

Further amend said paragraph by striking out the total appropriation for said department \$10,410.00 and inserting in place thereof the total \$13,210.00.

Amend the paragraph relative to the Arts and Crafts by striking out the figures \$10,000.00 and inserting in place thereof the figures \$5,000.00.

Amend section 1 of said bill by striking out the entire last paragraph thereof relating to salary reduction of clerks and employees.

Amend the paragraph relative to the state prison by adding after the salaries for custodial care the following:

For the employment of additional help in order that guards and attendants shall not be required to work more than fifty-four hours in any week, except in emergency cases, \$5,000.

Amend the total for the state prison by striking out the

figure \$117,730.00 and inserting in place thereof the figure \$122,730.00.

Amend the paragraph relative to the bureau of labor by adding the following:

For enforcement of minimum wage law, \$500.00.

Amend the total appropriation for said department by striking out the figures \$21,350, and inserting in place thereof the figures \$21,850.

Amend said bill by adding after section 1 the following new section:

2. *Disposition of Certain State Revenue.* Chapter 188, Laws of 1933, and chapter 3 of the Laws of the special session of 1934, are hereby amended so that the revenue accruing from chapter 62 of the Laws of 1933, relating to horse racing, and the revenue accruing under chapter 99 of the Laws of 1933 and chapter 3 of the Laws of the special session of 1934, relative to the sale of liquor and beverages, which shall be payable to the so-called sinking fund, constituted by chapter 126 of the Laws of 1931, shall be fixed annually hereafter at \$250,000 for the revenue from chapter 62 of the Laws of 1933, and at \$550,000 for the revenue collected by the state liquor commission, these being the sums estimated at the time of the enactment of said laws as applicable to the sinking fund. Hereafter any sums in excess of the sums herein enumerated shall be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 to read section 3.

Amend the bill by adding the following:

There shall hereafter be assessed and collected from every hotel, lodging house and roadside camp in the State that possesses either a license from the State Liquor Commission or which under the statute must be inspected or certified by the State Board of Health, a tax of 5% on whatever sum shall be paid for each night's lodging by any guest resorting to any such hotel, lodging house or roadside camp. This tax shall be collected through the office of the State Treasurer who

shall make such regulations and prepare such blanks as are necessary for carrying out the purpose of this legislation.

The reading of the amendments having commenced on motion of Mr. Osborne of Sunapee further reading was dispensed with.

On motion of the same member the House voted to non-concur and ask for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Osborne of Sunapee, Sawyer of Woodstock, Sanderson of Pittsfield, Hunter of Hanover, and Perley of Lebanon.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

Amend the paragraph relative to the attorney general's department by striking out the line relative to clerical expense, \$9,800 and inserting in place thereof the following:

Salary of law clerk	\$1,800
Salary of chief clerk	1,800
Salary of research clerk	1,800
Other clerical expense	4,400
	————— \$9,800

Further amend said paragraph by striking out the figures \$2,800 relative to fees to registers of probate and inserting in place thereof the figure \$2,900.

Further amend said paragraph by striking out the line "legacy tax expense \$685" and inserting in place thereof the following, Legacy tax expense and other litigation, \$785.

Further amend said paragraph by striking out the figures \$32,389, the total for the department, and inserting in place thereof the total \$32,589.

Amend the paragraph relative to Department of Forestry by striking out the figures \$6,100.00 relative to salaries for

a recreational development, and inserting in place thereof the figures \$7,600.00.

Further amend said paragraph by striking out the total appropriation for said department \$72,015.00 and inserting in place thereof the total \$73,515.00.

Amend the paragraph relative to the Industrial School by striking out the figures \$4,240.00 for clerical expenses and inserting in place thereof the figures \$4,280.00.

Further amend said paragraph relative to other expenses by striking out the figures \$5,200.00 and inserting in place thereof the figures \$5,700.00.

Further amend said paragraph by striking out the total appropriation for said department \$81,850.00 and inserting in place thereof the figures \$82,390.00.

Amend the paragraph relative to Board of Health by striking out the figures \$4,575.00 relative to other expenses for director of sanitation, and inserting in place thereof the figures \$4,825.00.

Further amend said paragraph by striking out the total appropriation for said department \$76,340.00 and inserting in place thereof the total \$76,590.00.

Amend the paragraph relative to the N. H. Public Library Commission by adding after the clerical expenses of \$1,250.00 the following: salary of a stenographer \$900.00, salary of a field worker \$1,000.00.

Further amend said paragraph by striking out the figures \$760.00 and inserting in place thereof the figures \$1,660.00.

Further amend said paragraph by striking out the total appropriation for said department \$10,315.00 and inserting in place thereof the total \$13,115.00.

Amend the paragraph relative to the Arts and Crafts by striking out the figures \$10,000.00 and inserting in place thereof the figures \$5,000.00.

Amend section 1 of said bill by striking out the entire last paragraph thereof relating to salary reduction of clerks and employees.

Amend the paragraph relative to the State Prison by adding after the salaries for custodial care the following:

For the employment of additional help in order that guards and attendants shall not be required to work more than fifty-four hours in any week, except in case of emergency, \$5,000.00.

Further amend said paragraph by striking out the total for said state prison, \$117,773, and inserting in place thereof the total \$122,773.

Amend the paragraph relative to the bureau of labor by adding the following :

For the enforcement of minimum wage law \$500.00. Amend the total appropriation for said department by striking out the figures \$21,350 and inserting in place thereof the figures \$21,850.

The reading of the amendments having commenced on motion of Mr. Wilson of Manchester further reading was dispensed with.

On motion of the same member the House voted to non-concur and ask for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Osborne of Sunapee, Sawyer of Woodstock, Sanderson of Pittsfield, Hunter of Hanover, and Perley of Lebanon.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 68, An act relating to public forest lands.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 68, An act relating to public forest land.

The bill was read a first and second time and referred to the Committee on Forestry.

#### SPECIAL ORDER

Mr. Hoyt of Sandwich called for the special order, the report of the Committee of Conference on House Joint Resolution No. 36, Joint resolution for the improvement of a road leading from Hall's crossing to the Methuen town line.

The question being on the recommendation of the com-



mittee that the House recede from its position of non-concurrence and adopt the Senate amendments, with a roll call pending.

On motion of Mr. Hoyt the joint resolution was laid upon the table and made a special order for Thursday, June 20, at 10:01 o'clock.

On motion of Mr. Wilson of Manchester the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 162, Joint resolution making appropriation for the fish and game department, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The joint resolution was read a first and second time.

On motion of Mr. Osborne of Sunapee the printing of the joint resolution was dispensed with.

The joint resolution was then referred to the Committee on Appropriations.

On motion of Mr. Keefe of Dover at 12:04 o'clock the House took a recess until 1:55 o'clock.

(After recess)

On motion of Mr. Stevenson of Exeter the rules were suspended to allow the introduction of a report from a committee not previously advertised in the Journal.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred House Bill No. 465, An act relating to narcotics, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Wilson of Manchester the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin, with the recommendation that it be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Garland of Dover the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to concur in the amendments sent up from the House of Representatives to Senate Bill No. 26, An act relating to glaring headlights on motor vehicles, and asked for a committee of conference and the President has appointed as conferees on the part of the Senate Senators Manson and Wiley.

On motion of Mr. Callahan of Keene the House voted to accede to the request of the Honorable Senate, and the Speaker appointed as members of such committee on the part of the House Messrs. Neal of Meredith, Shaw of Chichester, and Ahern of Concord.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 78, An act establishing the New Hampshire commission on interstate cooperation.

Senate Bill No. 79, An act establishing a passenger automobile division of the State highway garage.

The message also announced that the Senate had passed

the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 20, Joint resolution providing for a recess commission to study possible billboard legislation.

SENATE BILLS AND JOINT RESOLUTION READ AND REFERRED

Senate Bill No. 78, An act establishing a New Hampshire commission on interstate cooperation.

The bill was read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended and reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. McDonough of Dover desired to be recorded as having voted no.

Senate Bill No. 79, An act establishing a passenger automobile division at the State highway garage.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Keefe of Dover the Committee on Judiciary was authorized to hold a hearing on the above bill without advertising the same in the Journal.

Senate Joint Resolution No. 20, Joint resolution providing for a recess commission to study possible billboard legislation.

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Wilson of Manchester the Committee on Judiciary was authorized to hold a hearing on the above joint resolution without advertising the same in the Journal.

Mr. Wilson of Manchester in the Chair

RESOLUTIONS

Mr. Hodgman of Bedford offered the following resolutions:  
WHEREAS, The New Hampshire House of Representatives

has learned with deep sorrow of the death of Thomas E. Barr of Bedford, a former member of this House; therefore

*Be it resolved*, That the House extend to his relatives its sincere sympathy in their bereavement; and

*Be it further resolved*, That the Clerk of the House be instructed to transmit a copy of this resolution to the bereaved family.

On a *viva voce* vote the resolutions were adopted.

#### UNFINISHED BUSINESS

Mr. McDonough of Dover called for the unfinished business the amendments to House Rules 42 and 50.

The question being: Shall the House resolve itself into a Committee of the Whole to consider the amendments, with a demand for the yeas and nays pending?

Mr. McDonough withdrew his demand for the yeas and nays.

The question being: Shall the House resolve itself into a Committee of the Whole?

On a *viva voce* vote the negative prevailed.

The question being on the amendments.

On a *viva voce* vote the amendments were not adopted.

On motion of Mr. Osborne of Sunapee at 2:42 o'clock the House took a recess for 30 minutes.

(After recess)

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages, reported the same under joint rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

Amend section 2 of said bill by striking out the first five lines and inserting in place thereof the following:

2. *Limitation on Purchase of Beverages.* Amend section 26 of chapter 99 of the Laws of 1933, as amended by section 1, chapter 173, Laws of 1933, by striking out said section and inserting in place thereof the following: 26. *Certificates of Approval.*

On motion of Mr. Wilson of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendments.

Mr. Henderson of Durham in the Committee on Engrossed Bills, to whom was referred Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton, reported the same under joint rule No. 6, with the following amendment and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by adding after the word "appropriated" in the twentieth line the words, by the State and by the town.

On motion of Mr. Wilson of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the adoption of the amendment.

Mr. Elliot of Madbury for the Committee on Appropriations, to whom was referred House Joint Resolution No. 162, Joint resolution making appropriation for the fish and game department, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Wilson of Manchester the rules were suspended and the joint resolution made in order for a third reading at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.



Mr. Kearns of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 79, An act establishing a passenger automobile division of the State highway garage, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Graf of Manchester for the Committee on Judiciary, to whom was referred Senate Joint Resolution No. 20, Joint resolution providing for a recess commission to study possible billboard legislation, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Committee of Conference, to whom was referred House Bill No. 281 (in new draft and with new title), An act requiring toilet facilities in restaurants and other public eating places, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in its adoption of its amendments and that the following amendments be adopted.

MICHAEL J. CARROLL,

ALDEN N. YOUNG,

ROBERT O. BLOOD,

*House Conferees.*

ARTHUR W. BROWN,

MAURICE G. WILEY,

*Senate Conferees.*

Amend section 1 of said bill by inserting after the word "connection" in line 13 the following: nor to establishments existing on the date this act becomes effective, where the required installation could not be made without major alterations or an addition to the building, so that said section as amended shall read:

1. *Toilet Facilities to be Provided for Restaurants.* All

restaurants, dining rooms, lunchrooms, tea rooms and other places where the business of serving food to the public is conducted shall be equipped with toilets and lavatories convenient of access for the use of patrons. Separate toilets and lavatories shall be provided for women except where the circumstances may be such as, in the judgment of the health officer, to render separate provision unnecessary. Provided that the provisions of this act shall not apply to the service of lunches in stores or at roadside refreshment booths, nor to food service of temporary character, nor to portable bona fide lunch carts without sewer connection, nor to establishments existing on the date this act becomes effective where the required installation could not be made without major alterations or an addition to the building. The state board of health and the health officers of cities and towns are charged with the enforcement of this act.

Amend section 3 of said bill by striking out therefrom the words July 1, 1935 and substituting in place thereof the words October 1, 1935 so that said action as amended shall read as follows:

3. *Takes effect.* This act shall take effect October 1, 1935.

On motion of Mr. Carroll of Laconia the report was accepted and the amendments adopted.

The bill was then sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution and address:

To His Excellency H. Styles Bridges,  
Governor of the State of New Hampshire.

The Senate and House of Representatives in general court convened, satisfied that the public good requires that David C. Chase, Justice of the Municipal Court in Seabrook, should no longer hold and retain said office, respectfully address and request your Excellency with the advice

and consent of the Council, to remove therefrom said David C. Chase.

On motion of Mr. Keefe of Dover at 4:35 o'clock the House took a recess for 15 minutes.

(After recess)

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 221, An act relating to transportation of members of the Legislature.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16 and 17 and inserting in place thereof the following new sections: 15. *Travel.* Members of the general court in attending upon any session shall be allowed ten cents a mile for their travel to and from their homes to the city of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week. 16. *Computation of Distance.* The distance traveled by a member from his home to Concord shall be computed by the nearest traveled highway. The committee on mileage shall determine said distance and also shall determine the amount of travel to be allowed each member under the provisions of the preceding section. 17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the legislature shall be allowed mileage and transportation as state officers

and employees are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

2. *Repeal.* Sections 18 and 19 of said chapter 4, relative to illegal use of legislative tickets, are hereby repealed.

3. *Public Officials.* Amend section 14 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 14. *State Contracts.* The governor shall contract for the steam railroad transportation of state officers, during their respective terms of office.

4. *Railroad Transportation.* Amend section 17 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 17. *Legislators.* Unless, on account of some emergency, the governor otherwise specifically directs, members of the legislature shall not be allowed for expenses of transportation except such travel as may be allowed under the provisions of sections 15 and 16, chapter 4 of the Public Laws, provided that the governor may contract for the transportation of members of committees and county delegations on trips to places in this state which are reasonably necessary to the proper conduct of legislative business.

5. *Takes Effect.* This act shall take effect June 1st, 1937.

On motion of Mr. Millen of Lebanon the House refused to concur in the amendments sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House: Messrs. Wilson of Manchester, Burgault of Lyman, and Millen of Lebanon.

Mr. Osborne of Sunapee for the Committee on Rules reported the following entitled bill, House bill No. 466, An act to provide for the assessment and collection of annual state tax for the term of two years, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted and the bill read a first and second time.

On motion of Mr. Osborne of Sunapee the rules were

suspended and the printing of the bill and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Hunter of Hanover for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Hunter of Hanover the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

The Committee of Conference to whom was referred Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to Little Bay bridge, having considered the same, recommend that the House of Representatives recede from its position in the adoption of its amendment and that the Senate recede from its position in the name of the bridge and they recommend the following:

Amend the resolution by striking out the caption and inserting in place thereof the following: Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

Further amend the resolution by striking out the words, Little Bay bridge, wherever they appear and inserting in



place thereof the words, General John Sullivan Memorial bridge.

WILLIAM J. NEAL,  
JOHN L. SHAW,  
O. V. HENDERSON,  
*House Conferees.*  
ARTHUR W. BROWN,  
GEO. T. KNOWLTON,  
*Senate Conferees.*

On motion of Mr. Osborne of Sunapee the report was accepted and adopted.

On motion of Mr. Wilson of Manchester at 5:52 o'clock the House took a recess for 15 minutes.

(After recess)

In accordance with a resolution introduced by Mr. Mudge of Northwood at the session on June 12 authorizing the appointment of a committee to study the possibilities of an income tax law and present a bill to this or any future session of the legislature.

The Speaker appointed the following committee: Messrs. Mudge of Northwood, Emery of Manchester, Boucher of Somersworth, Neal of Meredith, and Sawyer of Woodstock.

On motion of Mr. Wilson of Manchester at 6:05 o'clock the House adjourned until Thursday morning at 10 o'clock.

---

THURSDAY, JUNE 20, 1935.

The House met at 10 o'clock.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 113, An act relating to the weight of motor vehicles.

House Bill No. 220, An act relating to diseases of domestic animals.

House Bill No. 303, An act to reimburse the federal government for emergency conservation work on State lands.

House Bill No. 305, An act to revise and amend the fish and game laws.

House Bill No. 422, An act to repeal charters of certain corporations.

House Bill No. 444, An act continuing an appropriation for emergency unemployment relief by forestry and general improvement work.

House Bill No. 450, An act relative to the improvement of Rye harbor.

Senate Bill No. 74, An act providing for a special vote in the town of Errol.

Senate Bill No. 75, An act to amend "An act to provide for the construction and operation of an aerial tramway on Cannon mountain in the Franconia notch."

The report was accepted.

Mr. Blood of Concord for the Committee on Public Health, to whom was referred Senate Bill No. 72, An act relating to the membership of the examining board for plumbers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in its place the following:

1. *Examining Board.* Amend section 3 of chapter 153 of the Public Laws by striking out said section and inserting in place thereof the following: 3. *Appointment.* Said board shall be appointed by the mayor with the approval of the board of aldermen or by the board of selectmen, and shall consist of a master plumber who has been engaged for at least five years in active plumbing business in the state, a plumbing inspector, or in the absence of such officer, a member of the local board of health, and a journeyman plumber who has had at least five years' active service. They shall serve without pay.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

On motion of Mr. Wilson of Manchester the rules were

suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

The Committee of Conference to whom was referred House Bill No. 221, *An act relating to transportation of members of the legislature*, recommend that the House recede from its position of non-concurrence in the amendments adopted by the Senate and that the Senate recede from its position in adopting said amendments and further recommend that the Senate and House concur in adopting the following amendments:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16, as amended by chapter 120, Laws of 1927, and section 17 and inserting in place thereof the following new sections: 15. *Travel.* Members of the general court in attending upon any session shall be allowed eight cents a mile for their travel to and from their homes to the city of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week. 16. *Computation of Distance.* The distance traveled by a member from his home to Concord shall be computed by the nearest traveled highway. The committee on mileage shall determine said distance and also shall determine the amount of travel to be allowed each member under the provisions of the preceding section. 17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the legislature shall be allowed mileage and transportation as state officials are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

2. *Repeal.* Sections 18 and 19 of said chapter 4, relative to illegal use of legislative tickets, are hereby repealed.

3. *Public Officials.* Amend section 14 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 14. *State Contracts.* The governor shall contract for the steam railroad transportation of state officers, during their respective terms of office.

4. *Railroad Transportation.* Amend section 17 of chapter 251 of the Public Laws by striking out said section and inserting in place thereof the following: 17. *Legislators.* Unless, on account of some emergency, the governor otherwise specifically directs, members of the legislature shall not be allowed for expenses of transportation except such travel as may be allowed under the provisions of sections 15 and 16 of chapter 4 of the Public Laws, provided that the governor may contract for the transportation of members of committees and county delegations on trips to places in this state which are reasonably necessary to the proper conduct of legislative business.

5. *Application of Law.* The provisions of this act shall apply to the members, officers and employees of the 1935 session of the General Court and any payment made to or expense incurred for any such member, officer or employee heretofore shall be deducted in the allowance of mileage for this session. No member, officer or employee of said 1935 session shall be entitled to any mileage of any kind other than as provided in this act.

6. *Repeals; Takes Effect.* All acts and parts of acts inconsistent with the provisions of this act are hereby repealed as of the beginning of the 1935 session, and this act shall take effect as of the beginning of said session. Any resolution of either branch of the legislature, relative to mileage of members, is hereby repealed as of the date of the passage of such resolution.

ALLAN M. WILSON,  
ANTHONY BURGAULT,  
R. N. MILLEN,

*Conferees for the House.*

HARRY MANSON,  
ANSEL N. SANBORN,

*Conferees for the Senate.*

On motion of Mr. Cilley of Exeter the report was accepted and adopted.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Osborne of Sunapee the Committee on Appropriations was authorized to hold a hearing on Senate Bill No. 68, An act relating to public forest land at one o'clock without advertising the same in the Journal.

The Committee of Conference, to whom was referred House Bill No. 330, An act relating to the taking of fish from certain waters, having considered the same, recommended that the House of Representatives recede from its position of non-concurrence and that the Senate recede from its position in the adoption of its amendments and that the following amendments be adopted.

ALFRED L. GUAY,  
WILLIAM J. CALLAHAN,  
ROBERT H. STOBIE,  
*House Conferees.*  
JOHN E. BARRETT,  
M. G. WILEY,  
*Senate Conferees.*

#### CONFERENCE COMMITTEE REPORT

Amend section 1 of said bill by striking out the entire section and inserting in place thereof the following:

1. *Brook Trout; Fly Fishing.* Brook trout not less than seven inches in length, may be taken only by the use of artificial flies from Coon Brook bog, Parmachenee bog, Scott's bog, all in Pittsburg, Clarksville pond in Clarksville, Little Millsfield pond and Moose pond in Millsfield, Beaver pond in Woodstock, Sawyer pond in Livermore, Profile lake in Franconia, Shawtown pond in Freedom, White pond in Ossipee, Echo lake in Conway, James pond in Tamworth, and Glen Ellis river between covered bridge in Jackson and Goodrich Falls dam in Bartlett, from May 1 to October 1; and from Badger reservoir and Grimstone reservoir in Belmont, Hunkins pond in Sanbornton, Duck pond in Weare,



March pond in Hill, Moody pond in Weare, Stonehouse pond in Barrington, Pleasant pond in Warner, Round pond in Nottingham, and Scobie pond in Derry from May 1 to September 1; from Upper pond of Ellsworth Three ponds in Ellsworth and Warren, Lake Armington in Piermont, Short pond in Franklin, and Stirrup Iron Brook pond in Salisbury, from July 1 to October 1. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch.

Amend section 2 of said bill by striking out the entire section and inserting in place thereof the following:

2. *Brook Trout; Bait and Fly Fishing.* Brook trout not less than seven inches in length may be taken by the use either of bait or artificial flies from Robartwood lake in Campton, Spectacle pond in Groton and Hebron, from May 1 to September 1, and during the month of September by the use of artificial flies only; from Round pond in Pittsburg, Hall ponds in Sandwich, and Lily pond and Saltmarsh pond in Gilford, and Little Diamond pond in Stewartstown, Stratford bog in Stratford, from May 20 to September 1, and during the month of September by the use of artificial flies only; and from Nippo pond in Barrington, Ferrin pond and Mount William pond in Weare, Stone pond and Gustin pond in Marlow, Rocky Bound pond in Croydon and Lucas pond in Northwood from May 1 to August 1, and during the month of August by the use of artificial flies only. No person may take more than ten in number nor more than five pounds in weight when taken, in one day; provided that so long as he has taken less than ten in number or five pounds in weight, he shall be entitled to take one additional fish. No person may have in his possession more than one day's legal catch. Any species of trout not less than seven inches in length may be taken from Martin Meadow pond in Lancaster from June 1 to October 1, but no person may take in one day a total of more than two pounds of trout, regardless of species; pro-

vided that if he has taken less than two pounds he shall be entitled to one additional fish.

Amend section 4 of said bill by striking out the entire section and inserting in place thereof the following:

4. *Pickarel*. Pickerel of any size and in any quantity may be taken and possessed at any time from Sunapee lake, Crystal lake in Enfield, Tewksbury pond in Grafton, Elbow pond in Woodstock, Pearl lake in Lisbon, Ogontz lake, Dodge pond, Round pond, and Flag pond in Lyman, Partridge lake in Lyman and Littleton, Ellsworth pond in Ellsworth, Post pond in Lyme, Merrymeeting lake in New Durham, Middleton Reservoir in Middleton, Silver lake in Madison, Mason pond in Orford, Rocky pond in Wentworth, Armington pond and Lake Tarleton in Piermont and Warren, Newfound lake in Hebron, Bridgewater, Bristol and Alexandria, Highland lake, Elbow pond and Bradley pond in Andover, Nubanusit lake in Hancock and Nelson, Spectacle pond in Groton and Hebron, Rust pond in Wolfeboro, Mirror lake in Tuftonboro, Stinson lake in Rumney, Pea Porridge pond in Madison and Conway; Town Line pond in Dorchester and Wentworth, Trout pond in Dorchester, Lamprey pond in Orford, Cochecho river, Contoocook river from Cheshire Mill Pond outlet in Jaffrey to Merrimack river, all waters of Coos County inhabited by trout, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Ferrin pond in Weare, except that pickerel may not be taken through the ice from the last four named waters, and all other streams in the State inhabited by trout except Martin Meadow pond in Lancaster, Pow-Wow river, Winnepesaukee river, and Pemigewasset river, from June 1 to October 1.

Amend section 5 of said bill by striking out the entire section and inserting in place thereof the following:

5. *Closed to Ice Fishing*. The following waters are closed to fishing through the ice: Partridge lake in Lyman and Littleton, Spectacle pond in Groton and Hebron, Lake Warren in Alstead, Stinson lake in Rumney, Mount William pond in Weare, Lake Tarleton in Piermont and Warren, Martin Meadow pond in Lancaster, Big Dan Hole pond in

Ossipee and Tuftonboro, Gorham pond in Dunbarton, Scott pond in Fitzwilliam, Mountainview lake in Sunapee, Zephyr lake and Sunset lake in Greenfield, Tucker pond in Salisbury, Nutt pond in Manchester, Great pond in Kingston, Pleasant lake in New London, Nippo and Stonehouse ponds in Barrington, Island pond and Robb's reservoir in Stoddard, Mirror lake in Whitefield, Lake Winnipauket in Webster, and Long pond in the town of Stoddard.

Amend section 6 of said bill by striking out the entire section and inserting in place thereof the following:

6. *Closed to Smelt Fishing.* The following waters are closed to smelt fishing: Dana Hines brook in Meredith, Dublin pond and the Outlet as far as Clark's Mill pond dam in Dublin, White pond in Ossipee, Black brook in Sanbornton for a distance of two hundred yards above its middle mouth to a point one hundred and fifty yards out into the lake from its middle mouth, Massabesic lake and all its tributaries in Manchester and Auburn, Silver lake and its tributaries in Madison, Massasecum lake in Bradford, Pleasant pond and its tributaries in Deerfield, Mascoma river in Mascoma and Lebanon from the outlet of the lake to the south ends of the abutment of the first railroad bridge, First Connecticut lake and its tributaries in Pittsburg, all tributaries of Sunapee lake, Highland lake and its tributaries in Andover, all tributaries of Webster lake in Franklin, Echo lake in Marlow and Lempster, Inlet brook to Ledge pond in Madison, all tributaries of Loon lake in Freedom, Nubanusit lake in Hancock, all tributaries to Lake Tarleton in Piermont and Swanzey lake in Swanzey, and all tributaries of Little Sunapee lake in New London and Bradley lake in Andover.

Amend section 7 of said bill by striking out the entire section and inserting in place thereof the following:

7. *Closed to All Fishing.* The following waters are closed to all fishing: Fowler river between Ted Lard's dam in Alexandria and the covered bridge on the highway around Newfound lake, the tributaries of Dan Hole pond in Tuftonboro and Marshall pond in the town of Unity, Sand Hill brook in Auburn, Derry and Londonderry, Spring Pond

brook in Bennington, Tunnel stream in Benton and all its tributaries above the Parker house, Oliverian brook and all of its tributaries in Benton and Warren from its source to where it crossed the State highway on the highway leading from Warren to Haverhill; all tributaries of Dead Diamond river including Lamb Valley pond in Dartmouth College Grant; all tributaries of Swift Diamond river in the Dartmouth College Grant; all tributaries of Loon lake in Freedom except Village brook and Bennett brook shall be closed only from Loon lake to their respective highway road bridges, Connecticut lake in Pittsburg, the main river from the highest point of Big Pitch, so-called, to the First Connecticut lake level, and Big brook east of the road leading to Idlewild to the Connecticut river, and Smith brook in Pittsburg from the dam to the main river; Twitchell brook in Dummer flowing east into Androscoggin river; tributaries of Morse brook in Easton; all tributaries of Peabody river in Green's Grant except the West Branch and Nineteen-mile brook; Amos Pike or Starch Factory brook from its source to the highway leading from the State road to the French pond road, Lime Kiln brook and all its tributaries above No. 6 Schoolhouse, Granny Clark brook, and all its tributaries, all in Haverhill, for two years from May 1, 1935; tributaries of the West Branch watershed of the Ammonoosuc river in Kilkenny including the West Branch. Tributaries of Bowen brook in Landaff and Easton; Trout brook, so-called, the inlet of Post pond in Lyme upstream from the pond for a distance of approximately two miles to the Falls; Alder brook, a tributary to Stearns brook in Milan and Success, Leavitt stream in Milan, all tributaries of Merrymeeting lake in New Durham, all tributaries of Pleasant lake in New London, and that portion of Pleasant lake which forms a cove into which Chandler brook flows out to a line between two markers approximately one hundred yards south from Chandler bridge, tributaries of Taggart brook in Peterboro, Three Pond brook in Rumney, Melvin river in Tuftonboro, all brooks in the Pillsbury reservation in Washington; tributaries of King, Goldsmith and Farrell brooks, tributaries of Souhegan river in Wilton; all tributaries of Merrymeeting



lake in New Durham. Loon lake in Freedom shall be closed to trout fishing for one year and open to all other fishing at all times without restriction as to size and amount; Back lake in Pittsburg until May 20, 1936, and thereafter from May 20 to September 1, for fly and bait fishing, and during the month of September for the use of artificial flies only; and the streams between Tioga and Sargent reservoirs and Badger reservoir in Belmont.

The reading of the amendments having commenced on motion of Mr. Guay of Laconia the further reading was dispensed with.

On motion of the same member the report was accepted and adopted.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Appleton of Dublin the rules were suspended to allow the presentation of reports from committees which had not previously been advertised in the Journal.

Mr. Appleton of Dublin for the Committee on Forestry, to whom was referred Senate Bill No. 77, An act providing for a change of name for the forestry commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Appleton of Dublin the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

#### RECALLED FROM THE GOVERNOR

On motion of Mr. Wilson of Manchester Senate Joint Resolution No. 14, Joint resolution for an unpaid commission on interstate cooperation, was recalled from His Excellency the Governor.

Mr. Wilson of Manchester moved that the House reconsider its action whereby the bill passed.

The question being on the motion of Mr. Wilson.

(Discussion ensued)



On a *viva voce* vote the motion prevailed.

On motion of the same member the bill was indefinitely postponed.

#### SPECIAL ORDER

Mr. Leahy of Claremont called for the special order House Joint Resolution No. 36, Joint resolution for the improvement of a road leading from Hall's crossing to the Methuen town line.

The question being: Shall the bill be indefinitely postponed with a roll call pending?

Mr. Leahy withdrew his demand for the yeas and nays.

(Discussion ensued)

On a *viva voce* vote the motion did not prevail.

Mr. Callahan of Keene asked for a division.

A division being taken the vote was declared to be manifestly in the negative.

Mr. Callahan demanded the yeas and nays but subsequently withdrew his demand.

On motion of Mr. Wilson of Manchester the report of the Committee of Conference was accepted and adopted.

#### PERSONAL PRIVILEGE

Col. Arthur J. Pierce of Bennington rose to a question of personal privilege and presented majority leader F. Clyde Keefe of Dover and minority leader Allan M. Wilson of Manchester each a handsome piece of silver.

The Committee of Conference to whom was referred Senate Bill No. 26, An act relative to glaring headlights on motor vehicles, having considered the same, recommended that the House of Representatives adhere to its amendment and that the Senate refuse to recede from its position of non-concurrence.

WILLIAM J. NEAL,  
JOHN L. T. SHAW,  
WILLIAM J. AHERN,  
*House Conferees.*  
HARRY MANSON,  
M. G. WILEY,  
*Senate Conferees.*

On motion of Mr. Ahern of Concord the report was accepted and adopted.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 429, An act regarding the compensation of county commissioners.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 377, An act relating to the New Hampshire State employment service.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 457, An act relating to State building.

House Bill No. 432, An act increasing the tax on legacies and successions.

House Bill No. 452, An act relating to maternal and child health and child welfare.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

House Bill No. 437, An act increasing the fees for permits to sell beverages.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim.

House Joint Resolution No. 162, Joint resolution making appropriations for the fish and game department.

House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 305, An act to revise and amend the fish and game laws.

Senate Bill No. 71, An act to amend the law relating to the manufacture, transportation and sale of certain alcoholic beverages.

Senate Bill No. 75, An act to amend an act to provide for the construction and operation of an aerial tramway on Cannon mountain in Franconia notch.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

The message further announced that the Senate had adopted the reports of the Committee of Conference to the following joint resolutions:

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 449, An act to promote rural electrification.

Amend section 1 by striking out the words "financing of the manufacture" in lines 9 and 10; so that said section as amended will read:

1. *Authority Granted.* The governor and council, or its duly authorized agent or agents, are hereby authorized and empowered to cooperate and contract in the name of and on behalf of the state with the federal government and its agencies in such manner and to such extent as they may deem for the best interests of the citizens of this state, for the purpose of promoting the construction, maintenance and operation of rural electric lines in territory not adequately furnished with electricity; to accept gifts or grants of money or property; and to do all necessary and proper things desired by the federal government to facilitate the distribution and use of electricity, electrical equipment and appliances.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

Amend said bill by adding at the end of section 1 thereof the following:

29d. *Forfeiture of Liquors and Beverages.* Any person who is convicted of drunkenness or of driving a motor vehicle under the influence of liquor shall forfeit any liquor or beverages upon his person or in said vehicle, if any, at the time of the commission of said offense, provided that this provision shall not apply to liquor or beverages legally in his possession

for the purpose of sale. Any liquor or beverages so forfeited shall be disposed of as the court may determine and the proceeds, if any, shall be paid into the treasury of the county wherein the proceedings were determined for its use.

Further amend said bill by adding at the end of section 1 as herein amended, the following new section.

2. *Repeal.* Chapter 67 of the Laws of 1935 is hereby repealed.

Further amend said bill by renumbering section 2 to read "section 3".

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 336, An act relating to public employment of veterans.

Amend said bill by striking out all after the enacting clause an inserting in place thereof the following:

1. In public employment of clerks, office help, mechanics, laborers, inspectors, supervisors, foremen, janitors, peace officers and relief employees in the construction of public works, public projects and in the conduct of state, city, town and/or district departments by the state or by a county, city, town or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of state, city, town and/or district departments, preference shall be given as between persons equally qualified to citizens of the state who have served in the army, navy and/or marine corps of the United States in time of war, and have been honorably discharged therefrom or released from active duty therein. Where such employment is obtained from relief rolls or for persons in need, in cases of equal or greater need preference among equally qualified persons shall be given to such veterans.

2. The selectmen of towns and city councils of cities shall take any necessary action to secure the employment of said



veterans in said services of their respective cities and towns as hereinbefore provided.

3. This act shall take effect upon its passage.

On motion of Mr. Stevenson of Exeter the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

At 11:38 o'clock the Speaker declared the House to be in recess for 30 minutes.

(After recess)

### COMMITTEE REPORTS

Mr. Sawyer of Woodstock for the Committee on Appropriations, to whom was referred Senate Bill No. 68, An act relating to public forest lands, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in its place the following:

1. Amend section 6-a of chapter 192 of the Public Laws as inserted by chapter 74 of the Laws of 1929 by striking out the whole of said section and inserting in place thereof the following two sections as follows:

6-a. *Privileges and Concessions.* On terms approved by the commissioners, the state forester may make contracts for the leasing of privileges and concessions on state forests and reservations, provided that all such contracts shall be approved by the Governor and Council.

6-b. *Recording.* All such contracts shall be recorded in the Registry of Deeds in the county, or counties, where the lands to which such contracts relate, are situated.

2. *Takes Effect.* All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Bagley of Berlin the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence in the amendment.

The Committee of Conference, to whom was referred House Bill No. 67 (in new draft), An act relating to municipal lighting systems, reported the same with the recommendation that the House recede from its position of non-concurrence, and concur with the amendments sent down by the Honorable Senate.

WILLIAM M. COLE,  
HARRY MANSON,

*Conferees on the part of the Senate.*

KENNETH F. GRAF,  
DIXON F. VANCORE,  
JOHN J. O'REILLY, JR.,

*Conferees on the part of the House.*

On motion of Mr. Wilson of Manchester the report was accepted and adopted.

The bill was then sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to accede to the request for a committee of conference on House Bill No. 221, An act relating to transportation of members of the Legislature, and the president had appointed as members on the part of the Senate Senators Manson and Sanborn.

The message further announced that the Senate had voted to adopt the report of the committee of conference on House Bill No. 221, An act relating to transportation of members of the Legislature.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 192, An act relating to amendments to workmen's compensation.

House Bill No. 329, An act relating to labor and industry.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills and joint resolution, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 377, An act relating to the New Hampshire State employment service.

Amend sections 2, 3 and 6 of chapter 175 of the Public Laws as inserted by section 1 of said bill by striking out the words "and industry" wherever they occur in said sections.

Further amend said bill by renumbering the section numbered 7 to read section 2.

On motion of Mr. Kearns of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 429, An act regarding the compensation of County commissioners.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Temporary Salary Increase.* For each of the periods from April 1, 1935, to April 1, 1936, and from April 1, 1936, to April 1, 1937, each county commissioner of the county of Cheshire, in addition to the salary provided for by section 28, chapter 38, Public Laws, as amended, shall be allowed and paid by the county the sum of three hundred dollars, and the commissioner of said county who serves as clerk of the board shall for each of said periods receive an additional sum of three hundred dollars.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Appleton of Dublin the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

Amend section 1 of said bill by striking out the words "or notes" in the 11th line of said section.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 457, An act relating to State building.

Amend section 3 of said bill by adding before the word "House" in the fourth line the figures 1935, by adding after the word "Speaker" in the fifth line the words, of said House, and by adding before the word "Senate" in said fifth line the figures, 1935.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

Amend section 1 of said bill by striking out the word "they" in the 10th line and inserting in place thereof the words, said bonds.

Further amend said section 1 by adding after the word "sale" in the 11th line the word, thereof.

Amend said bill by numbering the paragraph designated "Purposes" as section 2 and by numbering the paragraph designated "Takes Effect" as section 3.

On motion of Mr. Neal of Meredith the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

Amend said resolution by adding after the word "aid" in the eighteenth line the word, only.

On motion of Mr. Appleton of Dublin the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

Amend said resolution by striking out the word "year" in the 13th line and inserting in place thereof the words and figures, years 1935 and.

On motion of Mr. Henderson of Durham the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following bills and joint resolutions with amendments in the passage of which amendments the Senate asked the concurrence of the House of Representatives.

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

Amend said joint resolution by striking out all after the enacting clause and substituting therefor the following:

That the sum of eight thousand dollars (\$8,000) be and the same is hereby appropriated for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough. Said sum appropriated by the state shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

On motion of Mr. Banfield of Moultonborough the House concurred in the adoption of the amendments sent down from the Honorable Senate.



The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

Amend section 2 of the bill by striking out the word and figures, July 1, 1935, in line 1 and substituting in place thereof the word and figures, April 1, 1936, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect April 1, 1936.

On motion of Mr. Lewis of Littleton the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as such committee on the part of the House Messrs. McNamara of Lebanon, Guyer of Hanover, and Lewis of Littleton.

The Senate concurred with the House of Representatives in the passage of the following entitled bills with amendments in the passage of which amendments the Senate asked the concurrence of the House of Representatives.

House Bill No. 176, An act relating to workmen's compensation law.

Amend the bill by striking out all after the enacting clause and substituting therefor the following:

1. *Employments Included.* Amend section 1 of chapter 178 of the Public Laws by adding to said section the following: VI. *Building.* The construction, alteration, or repair of buildings in which work five or more persons are engaged in manual or mechanical labor. VII. *Other Employments.* Any employer engaged in an employment other than those specifically described in this section may file with the Commissioner of Labor his declaration in writing that he accepts the compensation provisions of this chapter as contained in the succeeding sections, and, having satisfied said Commissioner of his financial ability to comply with its provisions as provided in Section 4, the provisions of this chapter subsequent to section 4 shall thereafter apply to him and his employees the same as if he were engaged in one of the employments specifically described in this section. VIII. *Multiple Employments.* If any employer who has accepted the

provisions of this chapter is engaged in more than one kind of employment, one of which is, and the other of which is not specifically described in this section, his election to become subject to the provisions of this chapter shall bring him within its provisions only as to the employment which is so described, unless at the time of electing, he shall have specified other employment or employments concerning which he desires to become subject to the provisions thereof.

2. Amend sections 2 and 3 of chapter 178 of the Public Laws by striking out said section and inserting in place thereof the following: *Defenses if Employer Does Not Elect to Come Under This Chapter.* In an action to recover damages for personal injury sustained by an employee in the course of his employment, or for death, resulting from personal injuries so sustained, it shall not be a defense:

(1) That the injury was caused by the negligence of a fellow employee;

(2) That the employee had assumed the risk of the injury.

*Defenses if Employee Elects Not to Come Under This Chapter.* If an employee has elected not to come under the provisions of this chapter and his employer has elected to come under the provisions of this chapter, then such employee shall be held to have rejected all rights and remedies granted by the provisions of this chapter and shall not be entitled to the benefits thereof; and in an action to recover damages for personal injury sustained by the employee in the course of his employment, or for death resulting from personal injuries so sustained after the employee has so elected, the employer shall have all the defenses which he would have had if the provisions of this chapter were not in force.

3. Insert after section 8 of Chapter 178 of the Public Laws, a new section to be known as section 8-a as follows: *Election; Employee.* Any employee of an employer who shall have elected to become subject to the provisions of this chapter as provided in section 4 thereof shall be held to have waived his right of action at common law to recover damages for personal injuries, if he shall not have given his employer

at the time of his contract of hire or thereafter before injury, notice in writing that he claims such rights, and within ten days thereafter have filed a copy with the Commissioner of Labor, or, if the contract of hire was made before the employer so elected, if the employee shall not before injury have given the said notice and filed the same with said Commissioner as hereinbefore provided.

4. Amend chapter 178 of the Public Laws by striking out the whole of sections 10, 11 and 12.

5. Amend section 19-1 of chapter 178 of the Public Laws as amended by chapter 131, Laws of 1931, by striking out the words "four thousand five hundred" and inserting in place thereof the words "four thousand eight hundred" so that said section as amended shall read: *For Death*. The amount of compensation shall be, in case death results from injury:

I. *Dependents*. If the workman leaves any widow, children or parents, at the time of his death, then wholly dependent on his earnings, a sum to compensate them for loss, equal to one hundred and fifty times the average weekly earnings of such workman when at work on full time during the preceding year during which he shall have been in the employ of the same employer, or, if he shall have been in the employment of the same employer for less than a year, then one hundred and fifty times his average weekly earnings on full time for such less period, but in no event shall such sum exceed four thousand eight hundred dollars. Any weekly payments made under this sub-division shall be deducted from the sum so fixed.

6. Amend section 24 of chapter 178 of the Public Laws by striking out the word "fifteen" and inserting in place thereof the word "sixteen" so that said section as amended shall read: *Limit of Compensation*. In no event shall any compensation paid under this subdivision exceed the damage suffered, nor shall any weekly payment in any event exceed sixteen dollars, or extend over more than three hundred weeks from the date of the accident. Such payment shall continue for such period of three hundred weeks, if total or partial disability continues during such period. No such payment

shall be due or payable for any time prior to the giving of notice required by section 15.

7. Amend chapter 178 of the Public Laws, as amended, by adding a new section after section 24 to be numbered 24-I, to read as follows: 24-I. *Permanent Partial Disability; Specific Benefits.* In case of the following injuries the compensation shall be paid during total disability as provided in section 21, and at the termination of the total disability occasioned by said injuries, the employer shall pay to said injured employee fifty per cent of the average weekly wages computed as provided in section 19, I, and subject to the maximum and minimum as provided in sections 21 and 24, the following periods states against such injuries respectively, but in no case to exceed the period of three hundred weeks, which compensation shall be in lieu of all other benefits except those provided in section 13.

(1) The loss by separation of one arm at or above the elbow joint or the permanent and complete loss of the use of one arm, one hundred seventy weeks;

(2) The permanent and complete loss of hearing in both ears, one hundred seventy weeks;

(3) The loss by separation of one leg at or above the knee joint, or the permanent and complete loss of the use of one leg, one hundred seventy weeks;

(4) The loss by separation of one hand at or above the wrist joint, or the permanent and complete loss of the use of one hand, one hundred forty weeks. The loss of the thumb and all four fingers of the hand shall be considered equal to the loss of the entire hand;

(5) The loss by separation of one foot at or above the ankle joint, or the permanent and complete loss of the use of one foot, one hundred twenty weeks;

(6) The loss by separation of a thumb, forty weeks;

(7) The loss by separation of a first finger, commonly called the index finger, twenty-five weeks;

(8) The loss by separation of a second finger, twenty weeks;

(9) The loss by separation of a third finger, fifteen weeks;

(10) The loss by separation of a fourth finger, ten weeks;

(11) The loss of a first phalange of the thumb or of any finger, shall be considered to be equal to the loss of half of such thumb or finger; the compensation shall be for half of the periods of the time therefor specified;

(12) The loss of use of more than one phalange shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;

(13) The loss of an eye, one hundred weeks;

(14) In all cases where the employee sustains any of the injuries enumerated in the preceding thirteen subdivisions and at the same time receives injuries to other parts of his person which in themselves totally disable him for work, then said employee shall be first compensated for such other injuries and on the termination of the total disability occasioned by such other injuries, compensation shall be paid for the specific injuries as above specified, but in no case shall the total period for which compensation is paid exceed three hundred weeks;

(15) In all cases in this class, or where the usefulness of a member of any physical function is permanently impaired, the compensation shall bear such relation to the amounts stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule.

The reading of the amendments having commenced on motion of Mr. Wilson of Manchester further reading was dispensed with.

On motion of the same member the House voted to non-concur and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Wilson of Manchester, Jones of Lebanon, and O'Reilly of Manchester.



## BILL RECALLED

Mr. Keefe of Dover moved that House Bill No. 221, An act relating to transportation of members of the Legislature, be recalled from His Excellency the Governor.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of the same member the vote whereby the House adopted the report of the Committee of Conference was rescinded.

On motion of the same member the bill was recommitted to the Committee of Conference.

On motion of Mr. Wilson of Manchester the Senate was requested to rescind its vote adopting the report of the Committee of Conference and to recommit the bill to the Committee of Conference.

## COMMITTEE APPOINTMENT

Pursuant to a resolution offered by Mr. Mudge of Northwood on June 12th, the Speaker appointed the following committee: Messrs. Blandin of Bath, Keefe of Dover, Wilson of Manchester, Henderson of Durham and Gallagher of Manchester to supersede the committee previously appointed.

At 3:40 o'clock the House took a recess for 15 minutes.

(After recess)

The Committee of Conference to whom was referred Senate Bill No. 55, An act relating to the traffic in intoxicating liquor, reported the same with the recommendation that the Senate recede from its position of non-concurrence and that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend said bill by adding after section 1 the following new section: 2. *Price of Beverages*. Amend chapter 99, Laws of 1933, by adding after section 32 the following new section: 32-a. *Limitation*. The price to be charged by holders of on-sale permits for a glass or other container of

beverage shall not exceed the cost price thereof plus one hundred and fifty per cent of said cost price.

CHARLES P. COAKLEY,  
GEORGE C. STAFFORD,  
JAMES D. DALY,

*House Conferees.*

C. L. BAILEY.

M. G. WILEY,

*Senate Conferees.*

On motion of Mr. Guay of Laconia the report was accepted and adopted.

The Committee of Conference to whom was referred House Bill No. 221, An act relating to the transportation of members of the Legislature, reported the same with the following amendment:

ANTHONY BURGAULT,  
R. N. MILLEN,  
ALLAN M. WILSON,

*Conferees on the part of the House.*

HARRY MANSON,  
ANSEL N. SANBORN,

*Conferees on the part of the Senate.*

Amend said bill by striking out the word "eight" in line 6 of section 1 and inserting in place thereof the word "ten" so that said section as amended shall read as follows:

1. *Transportation of Members of Legislature and Employees.* Amend chapter 4 of the Public Laws by striking out sections 15, 16 as amended by chapter 120, Laws of 1927, and section 17 and inserting in place thereof the following new sections:

15. *Travel.* Members of the general court in attending upon any session shall be allowed ten cents a mile for their travel to and from their homes to the city of Concord. Said travel for each member shall be computed on the basis of one trip each way once a week for each week or part thereof that the Legislature may be in session, provided that if any member shall not attend at least one day during any week he shall not be allowed any travel for said week.

16. *Computation of Distance.* The distance traveled by a member from his home to Concord shall be computed by the nearest traveled highway. The committee on mileage shall determine said distance and also shall determine the amount of travel to be allowed each member under the provisions of the preceding section.

17. *Employees.* The officers and employees of the Senate and House of Representatives at each session of the Legislature shall be allowed mileage and transportation as state officials are allowed, and their names shall be entered upon the pay-rolls of the respective branches accordingly.

Mr. Keefe of Dover moved that the report be accepted and adopted.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Wilson of Manchester the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the Journal.

Mr. Keefe of Dover for the Committee on Rules, reported the following joint resolution, House Joint Resolution No. 165, Joint resolution in favor of the Legislature, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Wilson of Manchester the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

On motion of the same member the rules were further suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

## RESOLUTIONS

On motion of Mr. Wilson of Manchester:

*Resolved*, By the House of Representatives and Senate concurring that joint rule No. 11 be suspended to allow of the passage of new business between the House and Senate.

On motion of Mr. Guay of Laconia:

*Resolved*, That the Clerk be instructed to procure 1,000 copies of House Bills No. 305, An act to revise and amend the fish and game laws, House Bill No. 306, An act to create a fish and game commission and to define its powers and duties, and House Bill No. 330, An act relating to the taking of fish from certain waters, as engrossed.

At 4:59 o'clock the Speaker declared a recess for 15 minutes.

(After recess)

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate respectfully requests the House of Representatives to suspend joint rule No. 11 to accept two new Senate bills at this time.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages approved June 20, 1935.

Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation.

## SENATE BILLS READ AND REFERRED

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages approved June 20, 1935.

The bill was read a first and second time and referred to the Committee on Liquor Laws.

Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation,

The bill was read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Keefe of Dover at 5:20 o'clock the House took a recess for 15 minutes.

(After recess)

On motion of Mr. Keefe of Dover the order whereby Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation was referred to the Committee on Judiciary was vacated.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Perley of Lebanon the order whereby Senate Bill No. 80, An act increasing the fees for permits to sell beverages approved June 20, 1935, was referred to the Committee on Liquor Laws was vacated.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

At 5:38 o'clock the Speaker declared a recess for 15 minutes.

(After recess)

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Joint Resolution No. 25, Joint resolution in favor of Harry L. Whitney.

House Joint Resolution No. 46, Joint resolution in favor of Roy G. Sawyer of Thornton.

House Joint Resolution No. 49, Joint resolution in favor of William F. Pickford.

House Joint Resolution No. 50, Joint resolution in favor of Clarence G. Harrington.

House Joint Resolution No. 89, Joint resolution in favor of Eugene H. Corey.



House Joint Resolution No. 121, Joint resolution for the improvement of a road in Stewartstown.

House Joint Resolution No. 122, Joint resolution in favor of the town of Antrim.

House Joint Resolution No. 137, Joint resolution in favor of William E. Brewer and others.

House Joint Resolution No. 145, Joint resolution for the completion of a road in the town of Chesterfield.

House Joint Resolution No. 157, Joint resolution relating to the New England Council advertising fund.

House Joint Resolution No. 162, Joint resolution making appropriation for the fish and game department.

House Joint Resolution No. 163, Joint resolution in favor of Mrs. Fred Coffin.

Senate Joint Resolution No. 17, Joint resolution for the improvement of a certain road in Alton.

House Bill No. 221, An act relating to transportation of members of the Legislature.

House Bill No. 341, An act relating to aid for the blind.

House Bill No. 437, An act increasing the fees for permits to sell beverages.

House Bill No. 449, An act to promote rural electrification.

House Bill No. 464, An act to amend the act enabling the city of Manchester to establish water-works.

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

Senate Bill No. 77, An act providing for a change of name for the forestry commission.

Senate Bill No. 78, An act establishing the New Hampshire commission on interstate cooperation.

The report was accepted.

Mr. Henderson of Durham for the Committee on Engrossed Bills to whom was referred House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Halls crossing to the Methuen town line, reported the same under joint rule No. 6 with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of ten thousand dollars (\$10,000) for the year 1935 be and hereby is appropriated for the improvement of the road leading from Hall's crossing to the Methuen town line in the town of Salem. The sum appropriated by the state shall be expended under the direction of the highway commissioner and shall be a charge upon the highway funds.

On motion of Mr. Wilson of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence on the amendment.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 330, An act relating to taking of fish from certain waters, reported the same under joint rule No. 6 with the following amendments and recommended that the bill as amended ought to pass.

Amend the preamble of said bill by striking out the first line thereof and inserting in place thereof the following:

WHEREAS, Chapter 201 of the Public Laws as inserted by An act passed at this session of the Legislature approved June 20, 1935 contains.

Amend the 3rd paragraph of said preamble by striking out the same and inserting in place thereof the following:

Now, then, the open season, legal length, manner of taking and limit of catch for brook trout, pickerel and smelt provided in said chapter 201 shall not apply to the waters hereinafter designated but all other provisions of the act approved June 20, 1935, now known as House Bill No. 305 shall apply as fully as if this act were incorporated therein.

Amend section 4 of said bill by striking out the last three lines and inserting in place thereof the following: by trout; provided that pickerel of any size and in any quantity may be taken and possessed only from June 1 to October 1 from Martin Meadow pond in Lancaster, Pow Wow river, Winnipisaukee river and Pemigewasset river.

On motion of Mr. Wilson of Manchester the House adopted

the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 465, An act relating to narcotics.

Amend the bill by adding a new section as follows:

3. Hypodermic syringes and hypodermic needles shall not be sold except in registered drug stores.

Further amend the bill by renumbering section 3 to read section 4.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 448, An act providing for assistance to aged and dependent persons.

Amend said bill by renumbering the sections now numbered 9 to 29 inclusive, to read respectively 8 to 28 inclusive.

Amend section 26 of the bill by renumbering to 25 as above provided and by adding after the word "year" in the third line the words, ending June 30, 1936 and a like sum for the fiscal year, so that said section as amended shall read as follows:

25. *Appropriation.* There is hereby appropriated from the moneys in the State treasury not otherwise appropriated a sum not exceeding fifteen thousand dollars for the fiscal year ending June 30, 1936 and a like sum for the fiscal year ending June 30, 1937, for the purpose of paying the state's contribution to old age assistance under this act.

On motion of Mr. Wilson of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

#### RESOLUTIONS

On motion of Mr. Wilson of Manchester:

WHEREAS, The members of the House of Representatives have learned with sorrow of the recent death of Mrs. Lizzie H. Foss, mother of Alvin E. Foss, Representative from East Kingston, therefore

*Be it resolved*, That the members extend to the bereaved family their heartfelt sympathy, and be it further

*Resolved*, That the clerk transmit to the family a copy of these resolutions.

At 7:30 o'clock the Speaker declared a recess for 15 minutes.

(After recess)

#### RESOLUTION

On motion of Mr. Wilson of Manchester:

*Resolved*, That the Honorable Senate meet the House of Representatives in joint convention for the purpose of receiving His Excellency the Governor who has a message to deliver.

#### JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention His Excellency the Governor appeared and delivered the following address.

## GOVERNOR'S MESSAGE

*Honorable Senators and Representatives:*

We have come to the end of the legislative session. For you the job is finished, at least for the moment. But for the Executive it means the beginning of a new phase in administration, a phase during which the executive and administrative departments will attempt to the best of their ability to put into operation the programs that the Legislature has laid down.

We have been at work trying to meet the tremendous problems which faced us when we met and even as we have worked we have seen rapid and far reaching changes not only in basic conditions themselves but in the attitudes and policies of other states and of the Federal Government with which we have tried to cooperate in the fields of recovery and relief. I know some of you wonder, even as you complete the work of the session, whether the actions we have taken have been appropriate or adequate. Whether they are or not, the patience and the diligence with which the Legislature has worked is reflected in the record you have written.

For the first time in the history of the State we have recognized the need for State planning on a permanent basis. Not only have we established this function in the State government but by an enabling act we have provided the machinery under which any subdivision of the State or any region of the State can, if it desires, undertake planned development of its community and its resources. Along with it we have provided the beginnings of a State land policy and we have for the first time provided the machinery, long advocated, by which we can develop a State water policy and commence the control of our greatest natural resource for the public benefit. In so doing we have attempted to take advantage of every opportunity which has been offered through the recovery and reconstruction programs of the Federal government. With a constant changing of the rules of the game, it has been difficult at times to know whether, as we intended, we had met the requirements of these Federal agencies and policies. We trust we have and that New



Hampshire, as she has anticipated, may receive her fair share of the benefits which are to be derived from the huge Federal expenditures to promote employment and to rehabilitate people.

I felt it to be to the distinct advantage of the State to attempt to key our institutional building needs into the Federal works program. To have failed to do so would not have eliminated the needs. To do so appeared to mean a proportionate sharing of the cost from a fund to which New Hampshire is a heavy contributor. It appealed to me as merely a sound investment to provide for needed projects at a time when they could be purchased at a cost only one part of which we bear directly.

All of these projects will mean employment for our people who prefer jobs to relief. Indirectly these activities will stimulate business activity throughout the State.

But as we have planned for these objectives we have not ignored the directly personal side of the great human problems which have resulted from the depression which had run its vicious course before we came here. When the Legislature assembled some 40,000 men, women and children were being wholly or partially supported from public funds. Today the number is substantially higher. No relief system has ever been a success. Probably none ever will be successful until we eliminate the need for it. We haven't been able to do that yet. Specifically we promised decentralization of the administration of relief but insisted upon State standards which would care for the needy and protect the taxpayer. We have done this.

We have provided an unemployment compensation law, revised the old age assistance system, amended our laws for aid to the blind, improved and increased our benefits under the established system of mothers aid, and reorganized our program for the care of dependent children. In all of these efforts we have attempted to meet Federal standards to the end that Federal assistance may be provided. In the more important cases where extreme disadvantages would accrue were New Hampshire to attempt, at the present time, to go

it alone we have made our action contingent upon Federal cooperation.

We have provided the veterans of the State a veterans' service officer under the Welfare Department. We have enlarged and strengthened our banking department by the appointment of a banking investment service.

We have created fewer new commissions and we have brought about more major consolidations than any Legislature in recent history. We promised and we have effected a re-organization of the Department of Fisheries and Game and laid the foundation, I believe, for a long range program of rehabilitation. In the process we have provided for a greater utilization of the White Mountain National Forest to the end that this publicly owned land may be made to contribute on a broader basis to the public welfare. Mindful of the great benefits to our people in the recreation field we have provided legislation which we expect to assure to us the first aerial tramway in North America, a venture which should provide an attraction to our thousands of annual visitors not available elsewhere. We have provided for the first real parkway reservation in the State in the region of the North Country's Connecticut Lakes. We have continued developments in the seacoast and lake regions and provided for an even greater use of these resources.

We have carried out our plan to provide State maintenance of the trunk line and secondary highway system.

We have continued State interest in agriculture through establishment of a milk control law which should bring about stabilization in the important dairy interest and protect the consumers. We have provided adequate funds for bovine tuberculosis and Bang's disease reduction. We have provided a uniform egg law which will benefit both the consumers and poultrymen. For the first time in the history of the State we have officially recognized an obligation of the government to aid its smaller industries.

We have preserved and strengthened State control of liquor.

When we assembled here I pointed out to the Legislature the serious financial conditions which faced the State as a

result of the depression. I laid down the principle that we should operate our government services economically. I insisted that we balance the State budget. At that time I made it plain that if any real relief to the property tax payer was to be found it must be found in local units which account for the great percentage of the local tax dollar. To this end the Legislature enacted the municipal budget law which provides machinery for the control of local expenditures if the local units desire to use it.

The responsibility for appropriation of State funds is that of the Legislature. As Governor I have insisted that appropriations be held at the minimum consistent with adequate provision for essential government services. I warned you that increases should be allowed only where emergency demanded or where the investment value warranted it. I believe the Legislature has done a good job.

Due to losses in revenue and to legislative appropriations for which no revenue was provided we faced a current deficit. That has been provided for.

Personally I would have preferred the assessment of immediate special emergency taxes to any increase in the direct State tax at this time to bridge the gap between what the Legislature decided was necessary appropriations and our estimated revenues on the existing revenue system. The missing funds were provided largely by special taxes. The remainder has been provided in a budget balancing State tax which serves notice to the world that New Hampshire which has enjoyed as excellent credit as any State in the Union intends to preserve her good name.

It has been an interesting session. As representatives and senators you have taken part in what many of my predecessors have described as the greatest school in practical government in the world. That the session has lasted longer than some is not so important as the fact that you have done your work well. Let me express my most sincere appreciation of your cooperation.

As we part there will linger many happy memories of our association here. I hope we may renew them. May these

experiences prove to have been not only enjoyable and instructive for ourselves but for the everlasting benefit of the State.

The convention then rose.

### COMMITTEE REPORTS

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the Journal.

The Committee of Conference to whom was referred House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,

*House Conferees.*

A. C. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,

*Senate Conferees.*

Amend line 36 by striking out the figures "30,000" and inserting the figures 33,895.

Amend line 39 by striking out the figures "10,210" and inserting the figures 10,260.

Amend line 40 by striking out the figures "10,470" and inserting the figures 11,470.

Amend line 43 by striking out the figures "75,488" and inserting the figures 80,433.

Amend line 48 by striking out the words and figures "Clerical expense 9,800" and inserting in place thereof the following:

48 Salary of law clerk	1,800
48a Salary of chief clerk	1,800
48b Salary of research clerk	1,800
48c Other clerical expense	4,400

Amend line 52 by striking out the figures "7,000" and inserting the figures 10,000.

Amend line 53 by striking out the figures "32,389" and inserting the figures 35,389.

Amend line 88 by striking out the figures "9,770" and inserting the figures 14,770.

Amend line 91 by striking out the figures "139,108" and inserting the figures 144,108.

Amend line 111 by striking out the figures "6,100" and inserting the figures 7,600.

Amend line 116 by striking out the figures "72,015" and inserting the figures 73,515.

Amend line 132 by striking out the figures "2,000" and inserting the figures 5,000.

Amend said bill by striking out lines 136, 137 and 138 and inserting in place thereof the following: Line 136 Expenses of Administering Chapter of the Laws of 1935 in the Department of Labor 11,000; Line 137 Expenses of Administering Cost of Living Survey in the Department of Labor 2,000; Line 138 Expenses of Administering Chapter 87 of the Session Laws of 1933 in the Department of Labor 5,000; Line 138a Expenses of Administering Chapter of the Session Laws of 1935 in the Department of Labor 1,000.

Amend line 139 by striking out the figures "21,350" and inserting the figures 39,100.

Amend line 143 by striking out the figures "4,800" and inserting the figures 6,000.

Amend line 145 by striking out the figures "21,700" and inserting the figures 22,900.

Amend line 155 by striking out the figures "29,200" and inserting the figures 33,965.

Amend line 156 by striking out the figures "58,200" and inserting the figures 62,965.



Amend line 160 by striking out the figures "6,525" and inserting the figures 7,025.

Amend line 162 by striking out the figures "14,645" and inserting the figures 15,145.

Amend line 191 by striking out the figures "4,240" and inserting the figures 4,280.

Amend line 211 by striking out the figures "81,850" and inserting the figures 81,890.

Amend line 278 by striking out the figures "35,853" and inserting the figures 40,853.

Amend line 291 by striking out the figures "117,773" and inserting the figures, 122,773.

Amend line 365 by striking out the figures "3,420" and inserting the figures 3,670.

Amend line 370 by striking out the figures "76,340" and inserting the figures 76,590.

Amend line 406 by striking out the figures "39,625" and inserting the figures 46,375.

Amend line 408 by striking out the figures "57,610" and inserting the figures 64,360.

Amend line 412 by striking out the figures "6,000" and inserting the figures 4,750.

Amend line 413 by striking out the figures "20,000" and inserting the figures 18,750.

Amend line 418 by striking out the figures "1,250" and inserting the figures 2,150.

Amend by adding line 420a Clerical Expense 1,000.

Amend line 421 by striking out the figures "760" and inserting the figures 1,660.

Amend line 424 by striking out the figures "10,315" and inserting the figures 13,115.

Amend lines 466 and 467 by striking out the words "one hundred thirty-two thousand one hundred twenty dollars" and substituting the words, sixty-six thousand and sixty dollars.

Amend line 467 by striking out the word "ten" and substituting the word five.

Amend said bill by adding after section 1 the following new section:

2. In addition to the above, the salaries of all officials, clerks and employees in the Highway Department, Fish and Game Department, Liquor Commission, Motor Vehicle Department, and Division of Relief shall be subject to the same five per cent reduction and subject to the same provision that such salary reductions shall not apply to clerks or employees receiving less than fifteen hundred dollars per annum, nor reduce the salary of any clerk or employee now receiving more than fifteen hundred dollars to a figure below that sum. Salaries for all officials, clerks and employees shall be paid in accordance with the salary schedule filed in the office of the Secretary of State, labeled

*Salary Schedule of State Employees for the Year 1937*

Any provisions of law relative to salary of officials or employees inconsistent with said above provisions are hereby suspended during the time this act is in effect.

3. *Disposition of Certain State Revenue.* Chapter 188 of the laws of 1933 is hereby amended so that all the revenue accruing from the increase in the permit fees for the sale of beverages as provided in an act approved June 20, 1935 which under the terms of said chapter 188 would be payable to the so-called sinking fund constituted by chapter 126 of the Laws of 1931, shall hereinafter be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 and striking out the same and inserting in place thereof the following:

4 *Takes Effect.* This act shall take effect July 1, 1936.

The reading of the amendments having commenced Mr. Osborne of Sunapee moved that the further reading be dispensed with.

The question being on the motion of Mr. Osborne.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Osborne the report was accepted and adopted.

The Committee of Conference to whom was referred House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,  
*House Conferees.*  
A. C. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,  
*Senate Conferees.*

Amend the paragraph relative to the attorney general's department by striking out the line relative to clerical expense, \$9,800 and inserting in place thereof the following:

Salary of law clerk	\$1,800
Salary of chief clerk	1,800
Salary of research clerk	1,800
Other clerical expense	4,400
	<hr/>
	\$9,800

Further amend said paragraph by striking out the figure \$2,800 relative to fees to registers of probate and inserting in place thereof the figure \$2,900.

Further amend said paragraph by striking out the line "legacy tax expense \$685" and inserting in place thereof the following, Legacy tax expense and other litigation, \$785.

Further amend said paragraph by striking out the figure \$32,389, the total for the department, and inserting in place thereof the total \$32,589.

Amend the paragraph relative to Department of Forestry by striking out the figures \$6,100.00 relative to salaries for a

recreational development, and inserting in place thereof the figures \$7,600.00.

Further amend said paragraph by striking out the total appropriation for said department \$72,015.00 and inserting in place thereof the total \$73,515.00.

Amend the paragraph relative to the Industrial School by striking out the figures \$4,240.00 for clerical expenses and inserting in place thereof the figures \$4,280.00.

Further amend said paragraph relative to other expenses by striking out the figures \$5,200.00 and inserting in place thereof the figures \$5,700.00.

Further amend said paragraph by striking out the total appropriation for said department \$81,850.00 and inserting in place thereof the figures \$82,390.00.

Amend the paragraph relative to Board of Health by striking out the figures \$4,575.00 relative to other expenses for director of sanitation, and inserting in place thereof the figures \$4,825.00.

Further amend said paragraph by striking out the total appropriation for said department \$76,340.00 and inserting in place thereof the total \$76,590.00.

Amend the paragraph relative to the N. H. Public Library Commission by adding after the clerical expenses of \$1,250.00 the following: salary of a stenographer \$900.00, salary of a field worker \$1,000.00.

Further amend said paragraph by striking out the figures \$760.00 and inserting in place thereof the figures \$1,660.00.

Further amend said paragraph by striking out the total appropriation for said department \$10,315.00 and inserting in place thereof the total \$13,115.00.

Amend the paragraph relative to the Arts and Crafts by striking out the figures \$10,000.00 and inserting in place thereof the figures \$5,000.00.

Amend section 1 of said bill by striking out the entire last paragraph thereof relating to salary reduction of clerks and employees.

Amend the paragraph relative to the State Prison by adding after the salaries for custodial care the following: For

the employment of additional help in order that guards and attendants shall not be required to work more than fifty-four hours in any week, except in case of emergency, \$5,000.00.

Further amend said paragraph by striking out the total for said state prison, \$117,773 and inserting in place thereof the total \$122,773.

Amend the paragraph relative to the bureau of labor by adding the following:

For the enforcement of minimum wage law, \$500.00. Amend the total appropriation for said department by striking out the figures \$21,350 and inserting in place thereof the figures \$21,850.

The reading of the amendments having commenced Mr. Osborne of Sunapee moved that further reading be dispensed with.

The question being on the motion of Mr. Osborne.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Osborne the report was accepted and adopted.

#### RESOLUTIONS

Mr. O'Reilly of Manchester offered the following resolution:

WHEREAS, The custodian of mail and supplies of this House, James F. Tonery, of Manchester, has unfortunately fallen a prey to serious illness and is unable to be with us in the closing hours of this session, and

WHEREAS, This House has benefited by his genial and efficient cooperation and ready assistance, therefore,

*Be it resolved*, That this House extend by its vote, its best wishes and sincere hopes for his speedy recovery, and that a copy of this resolution be forwarded by the Clerk to Mr. Tonery.

On a *viva voce* vote the resolutions were adopted.

Mr. Henderson of Durham for the Committee on Engrossed Bills, to whom was referred House Bill No. 67, An



act relating to municipal lighting systems, reported the same under joint rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend said bill by striking out the following title II and inserting in place thereof the following:

2. *New Chapter.*

Further amend said bill by renumbering sections 16, 17 and 18 to read 3, 4 and 5 respectively.

On motion of Mr. Graf of Manchester the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

At 9:43 o'clock the Speaker declared the House to be in recess for 15 minutes.

(After recess)

MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 458, An act to rehabilitate the State treasury for the loss of revenue suffered by the State.

House Bill No. 466, An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 146, Joint resolution for the completion of a road in the town of Westmoreland.

Amend said resolution by striking out the 3rd, 4th and 5th lines and inserting in place thereof the following: appropriated for the completion of two uncompleted sections of the so-called Chesterfield road in the town of Westmoreland provided that.

On motion of Mr. Hart of Wolfeboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 161, Joint resolution relating to construction of road in town of Antrim.

Amend said resolution by striking out the word "and" in the 20th line and inserting in place thereof, it is.

Further amend said resolution by adding after the word "aid" in the 22nd line the words, for the years 1935 and 1936.

Further amend said resolution by striking out the words "for the years 1935 and 1936" and inserting in place thereof the following: and section 4, chapter 17 of the laws of 1935, approved March 4, 1935.

On motion of Mr. Keefe of Dover the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little Pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

Amend said resolution by striking out the 7th and 8th

lines and inserting in place thereof the following: to the Whittier trunk line road in the town of Sandwich provided that the town of Sandwich appropriates a like sum for the.

On motion of Mr. Osborne of Sunapee the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. No. 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

"That the sum of twenty thousand dollars (\$20,000) for the year 1935 be and hereby is appropriated for the improvement of a section of the main or post road, so called, leading from United States Route No. 1 to the General John Sullivan Memorial bridge in the town of North Hampton, provided that the town of North Hampton appropriates the sum of five thousand dollars for the same year for the same purpose. If the town of North Hampton makes the appropriation provided for herein and accepts aid from the State under this resolution said town shall not be entitled to apply for or receive state aid for the year 1935 for class II highways in said town under the provisions of sections 19, 20 and 21 of chapter 84 of the Public Laws, as amended by chapter 7 of the Laws of 1931 and section 4 of chapter 17 of the Laws of 1935, approved March 4, 1935. The sums appropriated by the State and by the town shall be expended under the direction of the highway commissioner and the sum appropriated by the State shall be a charge upon the highway funds.

On motion of Mr. Keefe of Dover the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The joint resolution was then sent to the Secretary of State to be engrossed.

At 10:05 o'clock the House took recess for 15 minutes.

## AFTER RECESS

Mr. Wilson of Manchester in the Chair

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate refused to adopt the report of the Committee of Conference on Senate Bill No. 55, An act relating to the traffic in intoxicating liquor and asked for a new committee and the President had appointed on the part of the Senate Senators Doe and Roberts.

On motion of Mr. Keefe of Dover the House rescinded its vote adopting the report of the Committee of Conference and voted to accede to the request and the Speaker appointed as members of such committee on the part of the House Messrs. Chandler of Gorham, Dodge of Laconia, and Mitchell of Campton.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following joint resolution:

House Joint Resolution No. 36, Joint resolution for the improvement of the roads leading from Halls crossing to the Methuen town line.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route No. 112 in the town of Landaff.

House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 68, An act relating to public forest lands.

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 432, An act increasing the tax on legacies and successions.

House Joint Resolution No. 103, Joint resolution for the reconstruction of the Long Island bridge, so-called, in the town of Moultonborough.

House Joint Resolution No. 109, Joint resolution for the completion of a certain road in the town of Dublin.

House Joint Resolution No. 123, Joint resolution for the improvement of a road in Auburn.

House Joint Resolution No. 147, Joint resolution for the completion of the unimproved section of designated route number 112 in the town of Landaff.

House Joint Resolution No. 158, Joint resolution in favor of the town of Milan.

House Bill No. 281, An act requiring toilet facilities in restaurants and other public eating places.

House Bill No. 336, An act relating to public employment of veterans.

House Bill No. 377, An act relating to the New Hampshire state employment service.

House Bill No. 403, An act to regulate the traffic in intoxicating liquor.

House Bill No. 429, An act regarding the compensation of county commissioners for Cheshire county.

House Bill No. 455, An act relating to the issuance of bonds by the county of Hillsborough.

House Bill No. 457, An act relating to State building.

House Bill No. 458, An act to rehabilitate the state treasury for the loss of revenue suffered by the state.

House Bill No. 463, An act relating to the issuance of bonds by the county of Belknap for welfare purposes.

Senate Bill No. 72, An act relating to the membership of the examining board for plumbers.

The report was accepted.

Mr. Sawyer of Woodstock for the Committee on Engrossed



Bills, to whom was referred House Bill No. 465, An act relating to narcotics, reported the same under joint rule 6 with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "as amended by chapter 61, Laws of 1933".

Amend section 3 of said bill by inserting after the number 3 the following:

3. *Prohibited Sales.* Amend said chapter 210 by inserting after section 51 the following new section: 51-a. —.

On motion of Miss Greenfield of Rochester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to Senate for concurrence in the amendments.

At 10:43 o'clock the Speaker declared a recess for 15 minutes.

(After recess)

The Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels and the prices charged for beverages, having considered the same, recommends that the title of the bill be amended by striking out after the word, hotel, the words and the prices charged for beverages, so that the title as amended shall read as follows: An act relating to the sale of beverages by certain first class hotels.

Further amend the bill by striking out section 2.

Further amend the bill by renumbering section 3 to read section 2.

C. A. CHANDLER,  
JAMES B. DODGE,  
L. E. MITCHELL,

*House Conferees.*

GEORGE D. ROBERTS,  
HAVEN DOE,

*Senate Conferees.*

On motion of Mr. Mitchell of Campton the report was accepted and adopted.

Mr. Perley of Lebanon in the Chair

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had recalled from the Governor Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 71, An act relative to the manufacture of certain alcoholic beverages and to wholesale permittees.

Amend said bill by striking out section 1 and inserting in place thereof the following new section:

1. *Sale of Beverages.* Amend section 18 of chapter 99 of the Laws of 1933 by adding at the end thereof the following: The holder of a wholesale permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall in sales to persons within this state, sell only to holders of a wholesaler's permit; so that said section as amended shall read as follows:

18. *Wholesaler and Manufacturer, Restriction.* The holder of a manufacturer's or wholesaler's permit shall not be entitled to hold an on-sale permit and may hold only one off-sale permit which shall be issued only in respect of the premises designated in his permit as a manufacturer or wholesaler. The holder of a wholesale permit shall maintain a regular place of business in this state. The holder of a manufacturer's permit shall in sales to persons within this state, sell only to holders of a wholesaler's permit.

On motion of Mr. Graf of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 445, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1937.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 55, An act relating to the sale of beverages by certain first class hotels.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 330, An act relating to the taking of fish from certain waters.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 465, An act relating to narcotics.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 448, An act providing for assistance to aged and dependent persons.

House Bill No. 466, An act to provide for the assessment and collection of an annual State tax for the term of two years.

Senate Bill No. 68, An act relating to public forest lands.

Senate Bill No. 80, An act to amend an act increasing the fees for permits to sell beverages, approved June 20, 1935.

Senate Bill No. 81, An act defining the word "employer" as used in the laws relative to unemployment compensation.

House Joint Resolution No. 164, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 165, Joint resolution in favor of the Legislature.

The report was accepted.

At 11:35 o'clock the Speaker declared the House in recess for 15 minutes.

(After recess)

On motion of Mr. Mitchell of Campton the action whereby the House voted to non-concur in the amendments sent down from the Honorable Senate to House Bill No. 453, An act regarding compensation of county commissioners of Grafton county and to ask for a Committee of Conference was reconsidered.

On motion of the same member the House voted to concur in the amendments.

The bill was then sent to the Secretary of State to be engrossed.

At 12:30 o'clock the House took a recess for 15 minutes.

(After recess)

Mr. Ahern of Concord in the Chair

The Committee of Conference to whom was referred House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,  
*House Conferees.*

A. C. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,  
*Senate Conferees.*

Amend line 31 by striking out the figures "30,000" and inserting the figures 33,895.

Amend line 34 by striking out the figures "10,210" and inserting the figures 10,260.

Amend line 35 by striking out the figures "10,470" and inserting the figures 11,470.

Amend line 38 by striking out the figures "76,288" and inserting the figures 81,233.

Amend line 43 by striking out the words and figures "Clerical Expense, 9,800" and inserting the following:

Line 43 Salary of law clerk	1,800
Line 43a Salary of chief clerk	1,800
Line 43b Salary of research clerk	1,800
Line 43c Other clerical expense	4,400

Amend line 47 by striking out the figures "7,000" and inserting the figures, 10,000.

Amend line 48 by striking out the figures "31,820" and inserting the figures, 34,820.

Amend line 84 by striking out the figures "12,770" and inserting the figures 17,770.

Amend line 87 by striking out the figures "142,108" and inserting the figures 147,108.

Amend line 107 by striking out the figures "6,100" and inserting the figures 7,600.

Amend line 112 by striking out the figures "72,040" and inserting the figures 73,540.

Amend line 127 by striking out the figures "2,000" and inserting the figures 5,000.

Amend by striking out in lines 131, 132 and 133 the following: "Salary for employment assistance 1,500.00, Clerical expense 1,500.00, Other current expenses 1,250.00" and inserting the following:

Line 131 To provide for the establishment of a national employment service system in accordance with Chapter of the Laws of 1935, in the department of labor, 11,000.

Line 132 Cost of living survey in the department of labor, 2,000.

Line 133 Expenses of administering Chapter 87 of the Laws of 1933 in the department of labor, 5,000.



Line 133a Expenses of administering Chapter of the  
Laws of 1935 in the department of labor, 1,000.

Line 133b Expenses of administering Chapter of the  
Laws of 1935 in the department of labor, 1,000.

Amend line 134 by striking out the figures "21,350" and  
inserting the figures, 40,100.

Amend line 138 by striking out the figures "4,800" and in-  
serting the figures, 6,000.

Amend line 140 by striking out the figures "23,100" and  
inserting the figures, 24,300.

Amend line 150 by striking out the figures "30,000" and in-  
serting the figures, 34,765.

Amend line 151 by striking out the figures "59,000" and  
inserting the figures 63,765. Amend line 155 by striking out  
the figures "6,525" and inserting the figures, 7,025.

Amend line 157 by striking out the figures "14,800" and in-  
serting the figures, 15,300.

Amend line 186 by striking out the figures "4,240" and  
inserting the figures, 4,280.

Amend line 203 by striking out the figures "5,500" and in-  
serting figures, 6,000.

Amend line 206 by striking out the figures "82,550" and  
inserting the figures, 83,090.

Amend by adding the following: Line 225a Purchase of  
land, 7,500.

Amend line 226 by striking out the figures "180,835" and  
inserting the figures 188,335.

Amend line 274 by striking out the figures "35,853" and  
inserting the figures 40,853.

Amend line 287 by striking out the figures "117,773" and  
inserting the figures 122,773.

Amend line 351 by striking out the figures "3,420" and  
inserting the figures 3,670.

Amend line 356 by striking out the figures "74,510" and  
inserting the figures 74,760.

Amend line 392 by striking out the figures "47,625" and  
inserting the figures 46,375.

Amend line 394 by striking out the figures "65,610" and inserting the figures 64,360.

Amend line 398 by striking out the figures "6,000" and inserting the figures 4,750.

Amend line 399 by striking out the figures "20,000" and inserting the figures 18,750.

Amend line 404 by striking out the figures "1,250" and inserting the figures 2,150.

Amend by adding the following: Line 406a Clerical Expense, 1,000.

Amend line 407 by striking out the figures "760" and inserting the figures 1,660.

Amend line 410 by striking out the figures "10,410" and inserting the figures 13,210.

Amend lines 450 and 451 by striking out the words "one hundred thirty-two thousand one hundred twenty dollars" and substituting the words, sixty-six thousand and sixty dollars.

Amend line 451 by striking out the word "ten" and substituting the word five.

Amend said bill by adding after section 1 the following new section:

2. In addition to the above, the salaries of all officials, clerks and employees in the Highway Department, Fish and Game Department, Liquor Commission, Motor Vehicle Department, and Division of Relief shall be subject to the same five per cent reduction and subject to the same provision that such salary reductions shall not apply to clerks or employees receiving less than fifteen hundred dollars per annum, nor reduce the salary of any clerk or employee now receiving more than fifteen hundred dollars to a figure below that sum. Salaries for all officials, clerks and employees shall be paid in accordance with the salary schedule filed in the office of the Secretary of State, labeled

*Salary Schedule of State Employees for the Year 1936*

Any provisions of law relative to salary of officials or employees inconsistent with said above provisions are hereby suspended during the time this act is in effect.

3. *Disposition of Certain State Revenue.* Chapter 188 of the laws of 1933 is hereby amended so that all the revenue accruing from the increase in the permit fees for the sale of beverages as provided in an act approved June 20, 1935, which under the terms of said chapter 188 would be payable to the so-called sinking fund constituted by chapter 126 of the Laws of 1931, shall hereinafter be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 and striking out the same and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect July 1, 1935.

On motion of Mr. Osborne of Sunapee the report was accepted and adopted.

The Committee of Conference to whom was referred House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937, having considered the same reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

L. L. OSBORNE,  
H. D. SAWYER,  
R. H. SANDERSON,  
J. B. PERLEY,  
E. H. HUNTER,

*House Conferees.*

A. C. ALEXANDER,  
AUSTIN L. CALEF,  
WILLIAM M. COLE,

*Senate Conferees.*

Amend line 139 by striking out the figures "21,350" and inserting the figures 39,100.

Amend line 143 by striking out the figures "4,800" and inserting the figures 6,000.

Amend line 145 by striking out the figures "21,700" and inserting the figures 22,900.

Amend line 155 by striking out the figures "29,200" and inserting the figures 33,965.

Amend line 156 by striking out the figures "58,200" and inserting the figures 62,965.

Amend line 160 by striking out the figures "6,525" and inserting the figures 7,025.

Amend line 162 by striking out the figures "14,645" and inserting the figures 15,145.

Amend line 191 by striking out the figures "4,240" and inserting the figures 4,280.

Amend line 211 by striking out the figures "81,850" and inserting the figures 81,890.

Amend line 278 by striking out the figures "35,853" and inserting the figures 40,853.

Amend line 291 by striking out the figures "117,773" and inserting the figures, 122,773.

Amend line 365 by striking out the figures "3,420" and inserting the figures 3,670.

Amend line 370 by striking out the figures "76,340" and inserting the figures 76,590.

Amend line 406 by striking out the figures "39,625" and inserting the figures 46,375.

Amend line 408 by striking out the figures "57,610" and inserting the figures 64,360.

Amend line 412 by striking out the figures "6,000" and inserting the figures 4,750.

Amend line 413 by striking out the figures "20,000" and inserting the figures 18,750.

Amend line 418 by striking out the figures "1,250" and inserting the figures 2,150.

Amend by adding line 420a Clerical Expense 1,000.

Amend line 421 by striking out the figures "760" and inserting the figures 1,660.

Amend line 424 by striking out the figures "10,315" and inserting the figures 13,115.

Amend lines 466 and 467 by striking out the words "one hundred thirty-two thousand one hundred twenty dollars"

and substituting the words, sixty-six thousand and sixty dollars.

Amend line 467 by striking out the word "ten" and substituting the word five.

Amend said bill by adding after section 1 the following new section:

2. In addition to the above, the salaries of all officials, clerks and employees in the Highway Department, Fish and Game Department, Liquor Commission, Motor Vehicle Department, and Division of Relief shall be subject to the same five per cent reduction and subject to the same provision that such salary reductions shall not apply to clerks or employees receiving less than fifteen hundred dollars per annum, nor reduce the salary of any clerk or employee now receiving more than fifteen hundred dollars to a figure below that sum. Salaries for all officials, clerks and employees shall be paid in accordance with the salary schedule filed in the office of the Secretary of State, labeled

*Salary Schedule of State Employees for the Year 1937*

Any provisions of law relative to salary of officials or employees inconsistent with said above provisions are hereby suspended during the time this act is in effect.

3. *Disposition of Certain State Revenue.* Chapter 188 of the laws of 1933 is hereby amended so that all the revenue accruing from the increase in the permit fees for the sale of beverages as provided in an act approved June 20, 1935, which under the terms of said chapter 188 would be payable to the so-called sinking fund constituted by chapter 126 of the Laws of 1931, shall hereinafter be payable to the state treasury for the general purposes of the state government.

Further amend said bill by renumbering section 2 and striking out the same and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect July 1, 1936.

On motion of Mr. Osborne of Sunapee the report was accepted and adopted.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred House Bill No. 445, An act mak-



ing appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936, reported the same under joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "employees" the words, affected by the salary reduction as provided for by this act, for the fiscal year ending July 1, 1936.

On motion of Mr. Hunter of Hanover the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mr. Sawyer of Woodstock for the Committee on Engrossed Bills, to whom was referred House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937, reported the same under joint rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "employees" the words, affected by the salary reduction as provided for by this act, for the fiscal year ending July 1, 1937.

Further amend said bill by striking out section 3.

Further amend said bill by renumbering section 4 to read section 3.

On motion of Mr. Hunter of Hanover the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 67, An act relating to municipal lighting systems.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 453, An act regarding compensation of county commissioners of Grafton county, and the President had appointed on the part of the Senate Senators Brown and Manson.

The message also announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 23, An act relating to cruelty to animals.

House Bill No. 104, An act relating to hours of labor.

House Bill No. 177, An act regarding one day of rest in seven.

House Bill No. 224, An act relating to disposal of profits obtained by towns through sales of real estate bought for taxes.

House Bill No. 338, An act relating to false statement of age by minors.

House Joint Resolution No. 155, Joint resolution relating to assessment and collection of taxes.

At 2:05 o'clock the House took a recess for 15 minutes.

(After recess)

#### INDEFINITELY POSTPONED

In accordance with the concurrent resolution that all bills and joint resolutions pending in either branch on Thursday, June 20, at 5 o'clock be indefinitely postponed, the following bills were indefinitely postponed.

House Bill No. 311, An act to close the South Branch stream of Gale river and Zealand pond stream and their tributaries in the town of Bethlehem indefinitely to any fishing.

House Bill No. 117, An act relating to traps and snares.

House Bill No. 277, An act to conserve game.

House Bill No. 151, An act to open Long pond in the town of Washington and Stoddard to ice fishing.

House Bill No. 236, An act relating to fish and game advisory board.

House Bill No. 205, An act relating to conservation of fox and raccoon.

House Bill No. 409, An act to prevent fraud.

House Bill No. 288, An act relating to wages.

House Bill No. 159, An act relating to the reimbursement of State officials for liability insurance.

House Bill No. 148, An act having reference to the homestead right.

House Bill No. 176, An act relating to workmen's compensation law.

House Bill No. 279, An act relating to compulsory motor vehicle liability insurance.

House Bill No. 95, An act to abolish the poll tax for women.

House Joint Resolution No. 94, Joint resolution to provide for an investigation into public expenditures.

House Bill No. 443, An act relating to zoning rural lands.

House Bill No. 242, An act providing for a constitutional convention.

House Bill No. 64, An act relating to the testing of cattle.

House Bill No. 229, An act establishing a teacher's retirement system.

House Bill No. 308, An act relative to the public schools in the city of Nashua.

House Bill No. 193, An act relating to old age assistance.

House Joint Resolution No. 148, Joint resolution for a hospital at the State prison.

House Bill No. 75, An act to provide for additional facilities at the State hospital.

House Joint Resolution No. 34, Joint resolution for improvements at the State hospital.

House Joint Resolution No. 16, Joint resolution in favor of New Hampshire State sanatorium.

House Bill No. 382, An act relating to teachers.

House Bill No. 275, An act relating to the practice of pharmacy and the sale of drugs.

House Joint Resolution No. 55, Joint resolution in favor of the town of Holderness.

House Bill No. 416, An act relating to the superior court.  
House Bill No. 386, An act to provide for the remodeling of the State library.

House Bill No. 367, An act relating to compensation of attaches of the Senate and House of Representatives.

House Joint Resolution No. 15, Joint resolution in favor of New Hampshire State sanatorium.

House Joint Resolution No. 14, Joint resolution in favor of New Hampshire State sanatorium.

House Bill No. 209, An act relating to Laconia State school.

House Bill No. 33, An act relating to motor vehicle law.

House Joint Resolution pertaining to so-called Townsend Plan.

House Bill No. 48, An act relative to the rights of political parties.

House Bill No. 165, An act relating to the term of the probate court for the county of Grafton.

House Bill No. 359, An act amending the charter of the city of Concord.

House Bill No. 380, An act defining the powers of the village district of Hampton beach.

Senate Bill No. 7, An act relating to taking brook trout in Lake Armington in Piermont.

Senate Bill No. 12, An act relating to the closing of Lake Tarleton in Piermont to all ice fishing for a period of five years.

Senate Bill No. 52, An act relating to non-resident fishing licenses for taking salt water smelt.

Senate Joint Resolution No. 11, Joint resolution in favor of John J. Condon.

#### The Speaker in the Chair

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 67, An act relating to municipal lighting systems.

House Bill No. 445, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1936.

House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1937.

Senate Bill No. 55, An act relating to the sale of beverages by certain first-class hotels.

House Bill No. 330, An act relating to the taking of fish from certain waters.

House Bill No. 453, An act regarding compensation of county commissioners of Grafton county.

House Bill No. 465, An act relating to narcotics.

House Joint Resolution No. 12, Joint resolution for the improvement and completion of the Little pond road leading from Sandwich to the Whittier trunk line road, in the town of Sandwich.

House Joint Resolution No. 36, Joint resolution for the improvement of the road leading from Hall's crossing to the Methuen town line.

House Joint Resolution No. 146, Joint resolution for the completion of a road in town of Westmoreland.

House Joint Resolution No. 161, Joint resolution relating to construction of road in the town of Antrim.

Senate Joint Resolution No. 8, Joint resolution for the improvement of the road from U. S. route 1 at Hampton line in North Hampton to General John Sullivan Memorial bridge.

The report was accepted.

On motion of Mr. Keefe of Dover at 5:15 o'clock a. m. the House adjourned.

## AFTERNOON

The House was immediately called to order in afternoon session.

## RESOLUTION

On motion of Mr. Wilson of Manchester:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of ten, one from each county, be appointed to join with such committee as the Senate may designate to wait upon His Excellency, The Governor, and inform him that the Legislature has completed the business



of the session and is ready to receive any communication he may be pleased to make.

The Speaker appointed as members of such committee Messrs. Wilson of Manchester, Ahern of Concord, Keefe of Dover, Mrs. Brungot of Berlin, Messrs. Osborne of Sunapee, Appleton of Dublin, Hunter of Hanover, Neal of Meredith, Janvrin of Hampton Falls, and Banfield of Moultonborough.

Mr. Wilson of Manchester for the joint committee appointed to wait upon His Excellency, the Governor, and inform him that the Legislature had completed its duties, reported that they had attended to their duties and that the Governor informed them that he had no communication to lay before the House.

The report was accepted, and His Excellency, H. Styles Bridges, then came in and delivered the following message:

*To the House of Representatives:*

I have been informed by the joint committee of the Senate and the House of Representatives that you have completed the business of the session and are ready to adjourn. The bills and resolves that have been passed by the Legislature in the closing day of the session have received Executive approval. I do therefore by the authority vested in me as Governor hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord, one thousand nine hundred and thirty-six. Personally and on behalf of this State, I thank you for your services to the state and extend to you one and all best wishes for your future prosperity and happiness.

H. STYLES BRIDGES,  
*Governor.*

Whereupon the Speaker declared the House adjourned to the last Wednesday in December, 1936.

HARRIE M. YOUNG,  
*Clerk.*

A True copy: Attest

HARRIE M. YOUNG,  
*Clerk.*

# APPENDIX

## MILEAGE ROLL

(Under House Bill No. 221)

### ROCKINGHAM COUNTY

	<i>Miles from Concord</i>
Auburn, Henry F. Dagan	18
Brentwood, John W. Stevens	30
Candia, Milton R. Stevens	16
Chester, George L. Fitts	23
Deerfield, Carl M. Fogg	20
Derry, Ernest L. Abbott	29
George Moody Currier	29
Oliver H. Hepworth	29
Walter A. Pillsbury	29
East Kingston, Alvin E. Foss	42
Epping, Jerry L. Thayer	39
Exeter, Corning Benton	40
Frank M. Cilley	40
Charles C. Russell	40
Reginald C. Stevenson	40
Fremont, Austin E. Carlton	30
Greenland, Thomas J. Brackett	45
Hampstead, Adin S. Little	30
Hampton, Herbert Perkins	47
Hampton Falls, Louis B. Janvrin	47
Kingston, James A. Lyford	38
Londonderry, Wesley Adams	26
Newfields, Thomas R. Sheehy	35
Newington, Frederick M. Pickering	45
Newmarket, Leo J. Turcotte	36
Jonathan Walker	36
Newton, A. Ralph Estabrook	45
North Hampton, Irving W. Marston	47
Northwood, William F. Mudge	20
Plaistow, J. William Peaslee	40

	<i>Miles from Concord</i>
Portsmouth, Andrew J. Barrett	50
Mary C. Dondero	50
Patrick J. Kittredge	50
Charles A. Allen	50
Richard G. Pray	50
Fred G. Tucker	50
John H. Yeaton	50
Timothy J. Buckley	50
James R. McNeil	50
Simon P. Harmon	50
Walter S. Abbott	50
William T. Rose	50
Raymond, Roger E. Eliot	24
Rye, Walter G. Marston	50
Salem, Carl Manor	38
Leonard B. Peever	38
Seabrook, Elihu T. Adams	50
South Hampton, Rufus B. Floyd	46
Stratham, Marshall S. Chase	40
Windham, Bessie Emerson	33

## STRAFFORD COUNTY

Barrington, Clarence B. Locke	30
Dover, Fred Coffin	40
Thomas H. Keenan	40
Albert J. Pomerleau	40
Philius J. Chabot	40
Patrick J. Durkin	40
William F. Howard	40
George W. Garland	40
Haldimand W. Neal	40
Carroll E. Hall	40
F. Clyde Keefe	40
Dennis M. McDonough	40
Edward Durnin	40
Durham, Oren V. Henderson	34

	<i>Miles from Concord</i>
Farmington, William E. Gelinas	35
Ernest E. Lefavour	35
Madbury, John S. Elliott	36
Milton, Stanley C. Tanner	40
Rochester, Thomas H. Gotts	40
George Y. Emerson	40
Dennis E. Brennan	40
Rudolphe G. Cartier	40
Louis S. Bergeron	40
Hervey E. Turcotte	40
Spencer Dickinson	40
Sara E. Greenfield	40
Ralph F. Seavey	40
Rollinsford, John M. Tighe	40
Somersworth, Placide J. Lagueux	40
John R. Hodsdon	40
Alfred J. Boucher	40
Frank Deschenes	40
Edward L. Flanagan	40
Thomas P. Robinson	40
Strafford, William J. Elson	25

## BELKNAP COUNTY

Alton, Oe Varney	28
Barnstead, Harry E. Little	22
Belmont, Fred H. Piper	18
Gilford, Perry E. Hunt	31
Gilmanton, Ralph G. Page	18
Laconia, Dana S. Beane	27
James B. Dodge	27
Alfred L. Guay	27
Michael J. Carroll	27
Oscar L. Hoyt	27
George C. Stafford	27
Alfred J. Cantin	27
Arthur R. Merrill	27

*Miles from  
Concord*

Laconia, Charles H. Dow	27
Charles L. Simpson	27
Meredith, Edward S. Gordon	36
William J. Neal	36
New Hampton, Frank C. Plastridge	30
Sanbornton, John S. Wallis	22
Tilton, Arthur K. Smart	18

## CARROLL COUNTY

Bartlett, Scott C. W. Simpson	85
Conway, Burnham B. Davis	80
Perley W. Mudgett	80
George W. Russell	80
Effingham, John G. Thompson	60
Jackson, Arthur P. Gale	90
Madison, George A. Lyman	69
Moultonborough, Charles W. Banfield	50
Ossipee, Mark H. Winkley	60
Sandwich, Charles B. Hoyt	50
Tamworth, Charles B. Weeks	60
Tuftonboro, Frank Hilliard	45
Wakefield, Alvin N. Young	43
Wolfeboro, Stephen W. Clow	50
Harold H. Hart	50

## MERRIMACK COUNTY

Allenstown, Alcide Courtemanche	7
Andover, Oliver H. Munroe	29
Boscawen, Frank L. Reardon	10
Bow, Ernest W. Morgan	5
Bradford, Paul W. Danforth	25
Canterbury, William C. Tallman	9
Chichester, John L. T. Shaw	8
Concord, Charles P. Coakley	7
Harry W. Matott	7
George W. Kemp	-



	<i>Miles from Concord</i>
Danbury, Stephen J. Ford	39
Dunbarton, Francis H. Buffum	10
Epsom, Edward B. Demers	12
Franklin, Donald J. Piper	18
Emile Carignan	18
Eusebe P. Lemire	18
Charles H. Bean, Jr.	18
John P. Dempsey	18
Henniker, Fred A. Peaslee	16
Hooksett, Ephrem Lafond	9
Robert H. Stobie	9
Hopkinton, John S. Ball	12
Loudon, Charles L. Merrill	7
Newbury, Oscar A. Colburn	34
New London, Charles E. Shepard	30
Northfield, Dixon F. Vancore	16
Pembroke, Euclide Turgeon	6
Foster G. Warren	6
Pittsfield, John H. Perkins	15
Robert H. Sanderson	15
Salisbury, Burton F. Sanborn	16
Sutton, William B. Connor	23
Warner, Alfred S. Cloues	18
Wilmot, Ernest Howard	30

## HILLSBOROUGH COUNTY

Amherst, Benjamin F. McNamee	30
Antrim, Erwin D. Putnam	30
Bedford, Albert C. Hodgman	21
Bennington, Arthur J. Pierce	32
Brookline, James H. Gilson	43
Deering, Leroy H. Locke	32
Francestown, Joseph H. Chandler	25
Goffstown, Clarence J. Avery	16
R. Robert Matheson	16
William Sym	16

	<i>Miles from Concord</i>
Greenville, Bernadette E. Charois	38
Hancock, Wendell D. Crowell	42
Hillsborough, George W. Boynton	25
Bert L. Craine	25
Hollis, Henry A. Wilson	38
Hudson, Fred T. Goodwin	38
Arthur W. Smith	38
Litchfield, John A. Reid	26
Manchester, Joel S. Daniels, Sr.	18
Dana A. Emery	18
Edward T. Knowlton	18
Allan N. Wilson	18
Charles H. Barnard	18
Harry W. Bergholtz	18
Perley W. Gage	18
Kenneth F. Graf	18
Wendell M. McIntire	18
John J. Barry	18
Michael J. Dwyer	18
John J. O'Reilly, Jr.	18
Michael A. Talty	18
Jeremiah J. Tobin	18
James K. Clougherty	18
William W. Corey	18
William J. Fitzgerald	18
Denis F. Mahoney	18
Stanley J. Betley	18
William F. Clancy	18
Patrick J. Creighton	18
George P. Healy	18
Martin L. Mahoney	18
John C. O'Brien	18
Patrick J. Sweeney	18
William J. Booth	18
John G. Clancy	18
Arthur J. Connelly	18

	<i>Miles from Concord</i>
Manchester, Daniel F. Healy	18
John P. Jordan	18
John J. Sullivan	18
Zoel F. Charland	18
Francis X. Cote	18
Francis A. Farrell	18
Alcide R. Gagnon	18
Alphee J. Peloquin	18
Gedeon A. Turcotte	18
Joseph A. Bernier	18
Frank J. Bolton	18
Edward F. Bouthiette	18
Joseph O. Gelin	18
Martin Holleran	18
Peter J. McDonough	18
J. Vincent Moran	18
Walter J. P. Richard	18
John F. Driscoll	18
Timothy F. Hayes	18
Alfred A. Lavallee	18
Francis H. Gallagher	18
Phillippe Gaudreault	18
Oscar E. Getz, Sr.	18
John J. Kearns	18
Bernard T. McLaughlin	18
Elmer D. Roukey	18
Frank H. Sweeney	18
Henry J. VanVliet	18
Joseph T. Aubin	18
Arthur Blanchette	18
George E. Desruisseaux	18
Alpha J. Letendre	18
Louis J. Soucy	18
Horace Brouillette	18
J. Felix Daniel	18
Thomas Ladouceur	18

	<i>Miles from Concord</i>
Manchester, Lucien G. Lambert	18
Wilfred S. Lariviere	18
Mason, Charles L. Barnes	41
Merrimack, Claude M. Maker	26
Milford, Gertrude N. Howison	33
Fred T. Wadleigh	33
William Weston	33
Mont Vernon, Willard T. Woods	28
Nashua, Stephen W. Barstow	35
William J. Fowell	35
Ovid F. Winslow	35
Charles I. Woodbury	35
George E. Danforth	35
Wilbrod E. Francoeur	35
John E. Bernard	35
Frank Boilard	35
John Letendre	35
John C. Barry	35
John D. Dugan	35
Abraham J. Charbonneau	35
Henry A. Dion	35
Albert Maynard	35
Amedee W. Fournier	35
Paul A. Moran	35
Theodore O. Ravenelle	35
Thomas W. Hough	35
Gerard R. Lavigne	35
William F. Maddox, Jr.	35
Arthur O. Burke	35
Rodolphe Cormier	35
James H. Glynn	35
William A. Molloy	35
Paul E. Bouthillier	35
Roland R. Desmarais	35
New Boston, Charles E. Baker	22
New Ipswich, William T. Thompson	50

	<i>Miles from Concord</i>
Pelham, Albert H. Jones	40
Peterborough, George D. Cummings	45
Forrest C. Mercer	45
Weare, Frank H. Peaslee	14
Wilton, Phillip C. Heald	38

## CHESHIRE COUNTY

Alstead, Henry Leroy Estabrook	56
Chesterfield, Ralph C. Chickering	68
Dublin, Arthur T. Appleton	45
Fitzwilliam, Julius H. Firmin	54
Gilsum, William B. Hanson	50
Harrisville, John N. Clark	42
Hinsdale, Walker S. Kimball	71
Jaffrey, Lester F. Hammond	45
James B. Perry	45
Keene, William J. Callahan	52
William E. Hetherman	52
Jerry Keating	52
John F. Shea	52
William E. Jones	52
Wilder F. Gates	52
Cowling Hilton	52
Marquis O. Spaulding	52
Clarence A. Wardwell	52
Carl D. Roche	52
Marlborough, Leon E. Wiswall	58½
Marlow, Fred G. Huntley	50
Richmond, Stephen A. Bullock	65
Rindge, Harris H. Rice	50
Swanzy, William R. Granger	55
Herman H. Perry	55
Troy, Don W. Randall	62
Walpole, John W. Graves	65
Donald J. Kiniry	65
Westmoreland, Glenn E. Britton	60



*Miles from  
Concord*

Winchester, Eli J. Horner	66
Arthur P. Read	66

## SULLIVAN COUNTY

Charlestown, Charles S. Hutchins	66
Claremont, Herbert C. Chandler	55
James D. Daly	55
Clarence B. Etsler	55
Morris M. Freeman	55
E. Earl Hosking	55
Albert D. Leahy	55
Erwin W. Quimby	55
Albert Stetson	55
Edwin A. Thomas	55
William L. Gaffney	55
Cornish, Eben M. Johnson	60
Croydon, Asa B. Cutting	44
Grantham, Wilfred A. Reney	40
Lempster, Fred A. Barton	51
Newport, Elsie Cora Bailey	42
Maurice H. Cummings	42
Maurice J. Downing	42
Tharon I. Farmer	42
Plainfield, Palmer C. Read	63
Sunapee, Leo L. Osborne	37
Unity, George B. Cram	59
Washington, Charles H. Emerson	37½

## GRAFTON COUNTY

Ashland, Sheldon E. Ellis	45
Bath, Amos N. Blandin	90
Benton, Walter J. Yeaton	65
Bethlehem, Harry A. Goodwin	90
Bristol, Willard S. H. Remick	30
Campton, Lester E. Mitchell	52
Canaan, Joseph L. Graham	52

	<i>Miles from Concord</i>
Easton, Oliver L. Bowles	90
Enfield, Val M. Hardy	59
Franconia, Arthur W. Sawyer	85
Grafton, Clinton S. Williams	40
Hanover, Alfred W. Guyer	70
Edgar H. Hunter	70
Robert J. Putnam	70
Haverhill, Frank N. Keyser	75
Herbert C. Merrill	75
Rhett R. Scruggs	75
Holderness, Mark K. Marden	50
Lebanon, Roy C. Hathorn	65
Florence W. Hoyt	65
Fred A. Jones	65
Thomas J. McNamara	65
Ralph N. Millen	65
Joseph B. Perley	65
Lincoln, James A. Legassie, Sr.	71
Lisbon, William E. Bishop	85
Dwight H. Parker	85
Littleton, William A. Astle	91
Herbert S. Lewis	91
Charles E. Magoon	91
George R. Simpson	91
Lyman, Anthony Burgault	95
Lyme, David A. Grant	85
Orford, Edgar C. Lufkin	71
Plymouth, Richard J. McLean	47
Harry A. Merrill	47
Rumney, William G. Cook	55
Warren, Chester B. Averill	61
Woodstock, Harry D. Sawyer	62

## COOS COUNTY

Berlin, John F. Bagley	120
Margaret H. Barden	120

	<i>Miles from Concord</i>
Berlin, Joseph F. Bell	120
Elizabeth H. Mason	120
Henry A. Smith	120
Harry L. Henderson	120
Norma C. Ordway	120
Albert G. Palmer	120
Harold C. Sullivan	120
Hilda C. F. Brungot	120
Otto J. A. Dahl	120
Albert E. Martel	120
Esther C. Bixby	120
Alphonsine M. Dugas	120
Patrick L. Dutil	120
Letitia Jane Myler	120
Colebrook, Darwin Lombard	146
Louis Ramsay	146
Columbia, Lynn M. Gray	146
Dalton, Ernest E. Whitcomb	112
Dummer, Bessie G. Styles	156
Gorham, Charles A. Chandler	115
Merton M. Willis	115
Jefferson, George W. Towle	116
Lancaster, Lula J. A. Morris	111
William H. Thompson	111
Milan, Frank M. Hancock	160
Northumberland, George W. Cole	127
Clarence A. Marshall	127
Pittsburg, Willie N. Judd	176
Stark, George J. Phelan	103
Stewartstown, Albert L. Fuller	150
Stratford, Edward B. Fuller	133
Whitefield, George W. Whitecher	101

## SENATORS

Berlin, Emmett J. Kelley	120
Jefferson, George G. Roberts	116

	<i>Miles from Concord</i>
Haverhill, Clarence L. Bailey	75
Wakefield, Ansel N. Sanborn	43
Lebanon, Harry Manson	65
Laconia, Maurice G. Wiley	27
Boscawen, Anson C. Alexander	7
Newport, John J. Condon	42
Hillsborough, Charles F. Butler	25
Keene, George F. Knowlton	52
Winchester, Winfred C. Burbank	66
Nashua, Eliot A. Carter	35
Honore E. Bouthillier	35
Allenstown, John G. Marston	7
Manchester, William F. Harrington	18
John E. Barrett	18
John A. Foley	18
Aime Martel	18
Somersworth, Haven Doe	40
Barrington, Austin L. Calef	30
Derry, William M. Cole	29
Hampton Falls, Arthur W. Brown	47
Portsmouth, Charles M. Dale	50

## ERRATA

---

Senate Bill No. 19. An act relating to the taking of trout from Martin Meadow pond in Lancaster, shown on page 797 as having been sent to the Secretary of State to be engrossed, should read sent to the Senate for concurrence in the amendment.

### MISCELLANEOUS

House Joint Resolution No. 29. Joint resolution in favor of Donat J. Cote of Franklin.

Withdrawn by Committee on Claims, March 19.

House Joint Resolution No. 84. Joint resolution in favor of Arthur Donald Sloan.

Withdrawn by Committee on Claims, March 19.

Senate Bill No. 66. An act relating to the escheat of estates.

No report of Committee of Conference.





INDEX  
TO THE  
HOUSE JOURNAL



# Index to the House Journal

## A

Abbot, Stanley H. of Wilton, death announced . . . . .	931
Committee on resolutions . . . . .	931, 961
Absence, leaves of 27, 54, 65, 78, 85, 97, 120, 129, 137, 151, 160, 163, 182 204, 215, 224, 236, 247, 259, 280, 297, 308, 315, 353, 361, 362, 370 377, 390, 404, 424, 425, 438, 457, 494, 533, 545, 562, 585, 598, 621 636, 657, 673, 692, 704, 713, 733, 753, 789, 804, 816, 838, 845, 875 897, 915, 933, 1010, 1034, 1043, 1070, 1103, 1123, 1146	
Accountancy, state board of, to create . . . . .	241, 486
Administrators, distribution of damages in suits by . . . . .	660, 707 712, 809, 816
Adoption of the constitution by U. S. A., celebration of 150th anni- versary . . . . .	184, 405, 423, 499
Advertising fund, New England council . . . . .	847, 934, 971 1088, 1154, 1184, 1202
state appropriation for . . . . .	114, 216, 223, 340, 365, 378
Aerial tramway on Cannon mountain, construction and operation 99, 425, 935, 1026, 1028, 1035 mountain, construction and operation, to amend act . . . . .	1067, 1106 1116, 1124, 1173, 1184
Address by George I. Breiel of Southgate, Ken. General Command- ing Patriarchs Militant of the World . . . . .	731
Samuel M. Dick, Ph.D. of Pasadena, Cal. . . . .	360
Seth Gordon of Washington, D. C., president of Ameri- can Game association . . . . .	353
Col. Arthur J. Pierce of Bennington . . . . .	1070
for removal of David C. Chase, Judge of municipal court of Seabrook. 1123, 1151, 1168 Roll call on substitution . . . . .	1152
Aged and dependent persons assistance to . . . . .	103, 566, 890, 970, 1077 1103, 1183, 1204, 1224
Adjournment final, resolution regarding . . . . .	583, 1115
final . . . . .	1237
week end . . . . .	29, 68, 92, 132, 153, 180, 222, 255, 304, 339 376, 412, 457, 545, 585, 649, 686, 713 796, 838, 897, 933, 1035, 1104
Agricultural fairs, to promote . . . . .	104, 261, 277, 299, 370 376, 554, 841, 894, 898
Aid for dependent mothers . . . . .	220, 442, 1010, 1033, 1108, 1147
Alcoholic beverages, manufacture, transportation and sale of cer- tain . . . . .	1039, 1126, 1146, 1165, 1184, 1202, 1223

- sale of certain . . . . . 108, 186, 203, 305, 311, 337, 354, 374, 377  
     Committee of Conference asked for by House . . . 311  
         appointed by House . . . 311  
         Senate . . . 326  
         report of . . . . . 337
- Alexandria authorized to issue refunding notes or bonds . . 412, 533, 540  
     authorizing state to take over section of road for main-  
         tenance . . . . . 56, 547, 704, 712, 891, 917, 933
- Alton, completion of Gilmanton road . . . 82, 407, 739, 751, 841, 893, 898  
     improvement of a certain road . . . . . 1006, 1082, 1126  
         1146, 1166, 1184, 1202
- Amendment of rules 42 and 50 . . . . . 361, 366, 1165
- American Legislators' association, authorizing Speaker and two  
     members to attend . . . . . 209
- Anesthetics, administration of . . . . . 107, 285, 296, 770
- Animals, cruelty to, to amend act . . . . . 66, 394, 403, 1233  
     domestic, diseases of . . . . . 110, 298, 904, 914, 1108, 1137, 1172  
     rabies among . . . . . 116, 763
- Antrim and Hillsborough, naming Lake Franklin Pierce . . . 433, 434, 536  
     544, 563, 594, 599  
     construction of road . . . . . 1127, 1184, 1218, 1236  
     improvement of road from Center to Franklin Pierce high-  
         way . . . . . 82, 479, 740, 751, 841, 846  
     in favor of town . . . . . 254, 586, 762, 774, 1090, 1185, 1202  
         Committee of Conference asked for by House . 1090  
         appointed by House . 1090  
         Senate . 1135  
         report of . . . . . 1150
- Appalachian Mountain club, to incorporate . . . . . 66, 120, 127, 153, 164
- Appeal from decision of Chair by Mr. McDonough of Dover . . . . . 183
- Appeals, probate . . . . . 591, 706
- Appropriation, continuing for emergency relief by forestry and gen-  
     eral improvement work . 829, 904, 990, 1009, 1156, 1173  
     for aid of state and communities to be affected by  
         future curtailment or abandonment of rail  
         service . . . . . 167, 577  
     executive department, providing for deficiency . . . . 75  
         92, 96, 112, 138  
     expenses of state for year ending June 30, 1936 . . 844, 899  
         1156, 1224, 1231, 1235  
         Committee of Conference asked for by House . . 1161  
         appointed by House . 1161  
         report of . . . . . 1210, 1225  
     expenses of state for year ending June 30, 1937 . . 844, 899  
         901, 914, 1159, 1224, 1232, 1236



Committee of Conference asked for by House . . .	1161
appointed by House . . .	1161
report of . . . . .	1214, 1229
fish and game department . . . . .	1162, 1166, 1184, 1202
Armington lake in Piermont, taking brook trout . . . . .	314, 1235
Artificial flowers and miniature flags, sale of . . . . .	116, 459, 477, 602
	620, 710, 834, 846
Assistance to aged and dependant persons . . . . .	890, 970, 1077
	1103, 1183, 1204, 1224
Attaches of Senate and House, compensation of . . . . .	413, 1235
appointed . . . . .	78
Speaker authorized to appoint . . . . .	26
Athletic exhibitions, abolishing state athletic commission and ap- pointing a state athletic commissioner . . . . .	93, 409
Auburn, improvement of road . . . . .	104, 219, 254, 612, 762
	774, 1183, 1191, 1221
Little Masabesic pond closed to ice fishing . . . . .	57, 180
Auctioneers, relating to . . . . .	263, 364
Australian ballot system in towns, use of . . . . .	115, 283
Automobile, passenger division of state highway garage, establish- ing . . . . .	1163, 1164, 1167
Automobiles, financial aid in purchase of . . . . .	117-486
used for illegal transportation, to forfeit . . . . .	111, 485

## B

Bakers, foreign, license for distributing bread and other bakery goods within the state . . . . .	591, 896, 1082
Speaker directed to obtain opinion of Supreme Court on constitutionality . . . . .	896
opinion rendered . . . . .	985
Ballots, recount after election . . . . .	80, 458, 493, 568, 573
of on question of sale of liquor in any city or town	431, 487
Banks, amending act approved Mar. 26, 1935 . . . . .	810, 878, 897
	973, 1037, 1071
national and trust companies, fiduciary powers of . . . . .	241, 427
	436, 746, 816
relating to . . . . .	368, 389, 404, 423, 431, 438, 453
savings, deposit of cash by . . . . .	412, 564, 572, 648
legal investments of . . . . .	974, 1037, 1071
Barbering, regulate practice of . . . . .	72, 112, 221, 245
	301, 403, 435, 659, 661, 754
Barnes, Charles L. of Mason, death of son announced . . . . .	209
Committee on resolutions . . . . .	209, 271

- Barnstead authorized to issue refunding notes or bonds 270, 296, 312, 316  
improvement of Province road . . . . . 105, 448, 757  
773, 892, 918, 934
- Barr, Thomas E. of Bedford, resolutions on death . . . . . 1165
- Barrington, completion of Barrington Depot road . . . . . 895, 944, 1011  
1034, 1104, 1108
- Barry, John of Manchester, death announced . . . . . 489  
Committee on resolutions . . . . . 489, 581  
John C. of Nashua, death of sister announced . . . . . 713  
Committee on resolutions . . . . . 713, 771
- Bath and Haverhill, improvement of Bradley Hill road . . . . . 842, 843, 943  
1035, 1042, 1104, 1108
- Bear, relating to . . . . . 107, 807
- Bears, damages done by and livestock killed, reimburse certain persons for . . . . . 263, 552, 636, 650, 995  
trapping of . . . . . 108, 765
- Beaudet, Nazaire of Manchester, death announced . . . . . 668  
Committee on resolutions . . . . . 668
- Beer and liquor questions, local option on . . . . . 76, 152  
and other beverages, hours of sale of . . . . . 101, 830  
licenses, taking from restaurants . . . . . 110, 678  
permits, suspension or revocation . . . . . 92, 238, 309  
wholesalers of . . . . . 416, 478
- Belknap county, issuance of bonds . . . . . 1083, 1135, 1147  
for welfare purposes 1105, 1183, 1190  
1221
- Belmont, improvement of Province road . . . 104, 446, 756, 773, 875, 891  
Tilton-Belmont road . . . . . 75, 615
- Benedict, Harry W. in favor of . . . . . 417, 639
- Berlin Building and Loan association, legalizing and confirming incorporation . . . . . 75, 153, 155, 279, 359, 362  
in favor of Rev. Henry C. Stallard . . . . . 82, 83, 408  
purchase of certain land adjoining state armory . . . . . 895, 1017  
1040, 1051  
to Gorham upper village, improvement of highway . . . 109, 647  
unemployment in . . . . . 373, 401, 404
- Bethlehem, close south branch stream of Gale river and Zealand pond stream to any fishing . . . . . 206, 1233  
legalizing November election . . . . . 52, 90, 95, 138, 140  
town meetings . . . . . 590, 882
- Beverages, increasing fees for permits to sell . . . . . 1200, 1201, 1224  
to permit to sell . . . . . 808, 889, 925, 1183, 1202  
roll call on passage . . . . . 928  
law terms used in . . . . . 107-161  
or liquor, confiscation in certain cases . . . . . 546, 561, 573  
585, 666, 714

- sale of by certain first class hotels .921, 1062, 1068, 1224, 1236
  - Committee of Conference asked for by Senate .1145, 1220
    - appointed by Senate 1145, 1220
      - House .1145, 1220
        - report of . . . . .1197, 1222
- Bible, adding to public school curriculum . . . . .98, 179
- Billboard legislation, recess commission to study possible . . . .1164, 1167
- Blandin, Amos N. elected Speaker . . . . .16
- Blind, aid for . . . . .263, 587, 679, 745, 752, 1072, 1103, 1183, 1202
  - exemption from taxation of property owned by . . . . .413, 623
    - 635, 701, 714
  - providing for cooperation with Federal agencies for aid to 254, 363
    - director of aid to . . . . .253, 362
  - relating to . . . . .73, 362, 679
- Blodgett, Newell Ray of Newbury, in favor of . . . . .146, 477, 717
  - 729, 1088, 1104
- Board of Registration governing the practice of hairdressing and
  - beauty culture, establishing . . . . .303, 334
- Boggs and Canaan brooks in Tuftonboro, closed to any fishing . .118, 817
- Boilers, steam . . . . .588, 658
- Bonds and emergency notes of towns, cities and counties, issuance with
  - state guarantee . . . . .81, 131, 135, 162, 545, 554
  - for collection agencies . . . . .100, 336
  - issuance of by county of Belknap . . . . .1083, 1135, 1147
    - for welfare purposes. . . . .1105
      - 1183, 1190, 1221
    - Hillsborough . . . . .1006, 1131, 1146
      - 1183, 1190, 1221
    - town of Farmington . . . . .1083, 1135, 1147
  - Grafton county authorized to issue . . . . .1083, 1135, 1147
  - issued by state and its political subdivisions for public works
    - projects, validating, ratifying, approving and confirming . . .415
      - 535, 544, 593, 599
  - Lancaster authorized to issue . . . . .80, 484
  - or notes, refunding, Alexandria authorized to issue . . . . .412
    - 461, 533, 540
    - Barnstead authorized to issue . . . . .270
      - 296, 312, 316
    - Boscawen authorized to issue . . . . .167
      - 217, 223, 296, 308
    - Epping authorized to issue . . . . .589, 634, 714
    - Grafton authorized to issue . . . . .590, 724
    - Lyme authorized to issue . . . . .659, 693, 714
    - Meredith authorized to issue . . . . .320, 334, 340

- Somersworth authorized to issue . . . 360, 397  
403, 439, 495, 499
- Webster authorized to issue . . . . . 497, 574  
585, 666, 714
- Bonus, payment of in recognition of war service of residents of  
New Hampshire . . . . . 53, 90, 129, 135, 207, 225
- Boscawen authorized to issue refunding notes or bonds . . . . . 167, 217  
223, 296, 308
- improvement of road . . . . . 115, 610, 760, 774, 913, 916
- Bottles and other containers, brands for . . . . . 117, 203, 319, 331  
to be used in selling liquor, size of . . . . . 103, 240
- Boulanger, Henry, in favor of . . . . . 304, 586, 745
- Bounty on woodchucks . . . . . 102, 132, 674
- Bradley Hill road in Bath and Haverhill, improvement of . . 842, 843, 943  
1035, 1042, 1104, 1108
- Brands for bottles and other containers . . . . . 117, 203, 319, 331  
milk cans, cases, bottles, boxes, jars or jugs . . . . . 559, 674  
691, 795, 833, 847
- Breakwater in North Hampton, in favor of . . . . . 84, 675, 717  
729, 912, 963, 973
- Breezy Point road in Warren, improvement of . . . . . 106, 616
- Brennan, Dennis of Rochester, qualified . . . . . 211
- Brentwood, authorizing state to take over section of road for pur-  
pose of maintenance . . . . . 92, 614
- improvement of South road . . . . . 111, 411
- Brewer, William E. in favor of . . . . . 417, 942, 1011, 1033, 1184, 1202
- Bridge over Connecticut river from Dalton, N. H. to Lunenburg,  
Vt., providing maintenance . . . . . 74, 410, 551
- Little bay . . . . . 102, 151, 155, 260, 270
- Smiths river between Bristol and Hill . . . . . 105, 551
- Bridges, naming certain . . . . . 729, 822, 843, 846  
on state aided highways . . . . . 206, 243, 260, 277, 374, 377
- Bridle path commission, creating . . . . . 117, 336
- Bristol and Hill, bridge over Smiths river . . . . . 105, 551  
authorizing state to take over section of road for purpose of  
maintenance . . . . . 100, 548, 705, 712, 875, 891
- Brook trout, taking in Lake Armington in Piermont . . . . . 314, 1235
- Brownfield road in Eaton, improvement of . . . . . 842, 843, 885  
934, 971, 1010, 1027
- Budget bill so called, for year ending June 30, 1936. . . . . 844, 899, 1156  
1224, 1231, 1235
- Committee of Conference asked for by House. . . . 1161  
appointed by House. . . . 1161  
report of . . . . . 1210, 1225

called, for year ending June 30, 1937 . . . . .	844, 901, 914 1159, 1224, 1232, 1236
Committee of Conference asked for by House . . .	1161
appointed by House . . .	1161
report of . . . . .	1214, 1229
Building and Loan association of Berlin, legalizing and confirming incorporation . . . . .	75, 153, 155, 279, 359, 362
associations, relative to . . . . .	73, 79, 236, 563 572, 666, 728, 833, 846
projects, stimulate economic recovery by encouragement of . . . . .	726, 992
Bureau of Criminal Investigation, abolishing . . . . .	807, 881
Burke, Augustus S. and others, in favor of . . . . .	417, 638, 763
Business corporations . . . . .	828, 882, 896, 973, 995

## C

Callahan, Wm. J. of Keene death of wife announced . . . . .	86
Committee on resolutions . . . . .	86, 106, 125
presented roses on 74th anniversary of birth . . . .	437
Campton, legalizing proceedings of town meeting . . . . .	419, 495, 499
Canaan and Boggs brooks in Tuftonboro closed to any fishing . .	118, 817
Lyme improvement of road leading from Center to Lyme-Dorchester road . . . . .	82, 551
construction of state highway . . . . .	114, 616
Lyme and Hanover, construction and maintenance of through highway . . . . .	77, 411
preservation of fish in Goose pond . . . . .	73, 179
reimburse for cows whose death was caused by rabid dogs . . . . .	115, 441, 495
Cannon mountain, construction and operation of aerial tramway .	99, 425 935, 1026, 1028, 1035
and operation of aerial tramway, to amend act . . . . .	1067, 1106, 1116 1124, 1173, 1184
Carpenter, Lawrence, in favor of . . . . .	56, 177
Carriers of property for hire on public highways . . . . .	108, 1105
Carroll, in favor of town . . . . .	112, 564, 600, 620, 746, 753
legalizing November election . . . . .	207, 284, 296, 401, 404
Cattle, testing of . . . . .	77, 1234
Certain property of the state, authorizing sale . . . . .	302, 372, 376, 487, 554, 573
Certificates of approval from State Liquor commission and manu- facturers' permits, fees for . . . . .	342
Certiorari, proceedings on . . . . .	94, 577, 620
Chain stores, relating to . . . . .	413, 576
Chandler, Benjamin M. in favor of . . . . .	701, 764, 1017



- Chapter 259, Laws of 1909, repealing . . . . . 178, 251, 256, 312, 354
- Charbonneau, Abraham of Nashua, oath of office administered by  
 Governor . . . . . 247
- Charters of certain corporations, to repeal . . . . . 708, 998, 1009  
 1108, 1137, 1173
- Charter of Concord . . . . . 28, 52, 168  
 amending . . . . . 81, 169, 302, 1235  
 to amend . . . . . 73, 169, 203, 229, 542, 708, 714, 728  
 roll call on substitution . . . . . 230, 272, 277  
 amendments . . . . . 274
- Committee of Conference asked for by House 543  
 appointed by House 543  
 report of . . . . . 708
- Masonic home, to amend . . . . . 73, 97, 127, 153, 170, 174
- Nashua, amending . . . . . 109, 169, 173, 340, 355, 370  
 repealing act amending . . . . . 724, 809, 834, 847  
 Y. M. C. A. amending . . . . . 710, 711, 795, 833, 847
- Portsmouth, to amend . . . . . 81, 295, 304, 315, 384, 912
- Chase, David C. Judge of municipal court of Seabrook, address for  
 removal . . . . . 1123, 1151, 1168  
 roll call on substitution . . . . . 1152
- road in South Hampton, improvement and completion of . . 104  
 616
- Chesterfield, completion of road . . . . . 592, 643, 762, 774, 1183, 1202
- Chester, improvement of road . . . . . 76, 444, 736, 751, 841, 917, 933
- Chief Nutbeam of the Alaska Indians addressed House . . . . . 247
- Children, neglected and delinquent . . . . . 168, 181, 463, 500, 640, 700  
 750, 811, 835, 1018  
 roll call on substitution . . . . . 812
- Child welfare, maternal and child health . . . . . 969, 1127, 1146, 1183
- Chiropody, practice of . . . . . 118, 223, 453, 562, 594, 599
- Cigarettes, taxation of . . . . . 808, 811, 840
- Civil jurisdiction of justices of the peace . . . . . 103, 363
- Claims against state to be presented for payment on or before  
 March 1 . . . . . 185, 215, 223, 248, 254
- Claremont, sewer system . . . . . 220, 237, 254, 260  
 town meetings in . . . . . 240, 284, 296, 488, 533
- Clarks' school foundation, to incorporate . . . . . 74, 138, 142, 250, 277, 308
- Cleaning and dyeing industry, authorizing cities and towns to  
 license and regulate . . . . . 118, 768
- Clerk elected . . . . . 17  
 assistant elected . . . . . 22  
 and sergeant-at-arms qualified . . . . . 22
- hire in probate office of Grafton county . . . . . 676, 831, 837  
 962, 973, 1037
- Rockingham county . . . . . 106, 184, 203  
 270, 278, 297

instructed to procure additional copies of bills. . . . .	112, 133, 181 202, 330, 334, 568
journal. . . . .	567
copies of House rules. . . . .	141
500 copies of report of recess commis- sion to study real estate transactions	192
manuals. . . . .	28
printed copies of Governor's message. .	49
reading, appointment authorized. . . . .	72
appointed. . . . .	106
Clough, Clarence E. of Lebanon, adjourning House in memory of	434
Clow, Stephen W. of Wolfeboro presented traveling bag on 80th anniversary of his birth. . . . .	532
Club licenses. . . . .	108, 161
Coffin, Fred, representative from Dover death announced. . . . .	1008
Committee on resolutions. . . . .	1008, 1009, 1087
Mrs. Fred, in favor of. . . . .	1163, 1184, 1202
Collection agencies, bonds for. . . . .	100, 336
Commissary General elected. . . . .	24
Commission, recess, to study real estate transactions, report of. . .	186
state conservation, providing for establishment. . . . .	435
	808, 881
to investigate toll bridges across Connecticut river report of. . . . .	123
raise additional revenue for state, cities and towns, establishing. . . . .	99, 379, 388
roll call on substitution. . . . .	382
unpaid on interstate cooperation. . . . .	1006, 1062, 1068, 1181
Commissioner districts in county of Grafton establishing. . . . .	286, 993
Commissioners of Rockingham county, salaries of. . . . .	676, 746, 753
Strafford county, temporary increase of salary. . . . .	1087
	1148
Committee of Conference on House bill No. 42. . . . .	543, 708
No. 65. . . . .	342, 351, 397, 403, 559
No. 67. . . . .	997, 1038, 1188
No. 111. . . . .	399, 684
No. 176. . . . .	1196
No. 206. . . . .	911, 970, 1038
No. 213. . . . .	311, 326, 337
No. 221. . . . .	1170, 1175, 1188, 1198
No. 281. . . . .	998, 1038, 1167
No. 288. . . . .	402
No. 296. . . . .	333, 337
No. 305. . . . .	1032, 1065, 1066
No. 306. . . . .	969, 1018, 1027
No. 330. . . . .	1101, 1136, 1176

No. 336. . . . .	921, 1037, 1064
No. 400. . . . .	869, 898
Nos. 445-446 . . . . .	1161, 1210
	1214, 1225, 1229
No. 453. . . . .	1192, 1233
joint resolution No. 25. . . . .	1091, 1135, 1148
	No. 36. . . . . 1006, 1133
	No. 46. . . . . 1092, 1135, 1148
	No. 49. . . . . 1091, 1135, 1149
	No. 50. . . . . 1092, 1136, 1149
	No. 55. . . . . 1136, 1137
	No. 89. . . . . 1090, 1135, 1150
	No. 122. . . . . 1090, 1135, 1150
Senate bill No. 26. . . . .	1163, 1182
	No. 55. . . . . 1145, 1197, 1220, 1222
joint resolution No. 8. . . . .	1145, 1178
on Elections instructed to count ballots in contested election cases. . . . .	154
to accompany Governor to Washington to consult with the Federal administrator appointed. . . . .	150
arrange program for mock session appointed. . . . .	649
consider Federal legislation relating to old age pen- sions, mothers' aid, child welfare and other social subjects appointed. . . . .	657
escort Governor-elect to the House. . . . .	30
examine, compare and count votes for Governor and Councillors. . . . .	23, 24
investigate conditions at Salem race track appointed. . . . .	848
	report of minority. . . . . 975
	majority. . . . . 1106
functions of various departments and commissions. . . . .	54, 57
	report of minority. . . . . 684
make assignment of rooms authorized. . . . .	28
	appointed. . . . . 57
	report of. . . . . 68
preparations for July 4th celebration author- ized and appointed. . . . .	1051
prepare resolutions on death of Stanley H. Abbot of Wilton authorized and ap- pointed. . . . .	931
	report of. . . . . 961
on death of Nazaire Beaudet of Manchester authorized and ap- pointed. . . . .	668
	report of. . . . . 688

- on death of son of representative  
Barnes of Mason authorized  
and appointed..... 209  
report of..... 271
- on death of John Barry of  
Manchester authorized and  
appointed..... 489  
report of..... 581
- on death of sister of representa-  
tive Barry of Manchester  
authorized and appointed.... 713  
report of..... 771
- on death of wife of representa-  
tive Callahan of Keene  
authorized and appointed.... 106  
report of..... 125
- on death of representative Fred  
Coffin of Dover authorized  
and appointed.....1008, 1009  
report of.....1087
- on death of Ovide J. Coulombe of  
Berlin authorized and ap-  
pointed..... 245  
report of..... 255
- on death of Homer Foster Elder  
of Dover authorized and ap-  
pointed.....78, 79  
report of..... 85
- on death of wife of representative  
Fitts of Chester authorized and  
appointed.....314, 315  
report of..... 326
- on death of representative Mor-  
ris M. Freeman of Claremont  
authorized and appointed.... 688  
report of..... 702
- on death of Stephen A. Frost of  
Fremont authorized and ap-  
pointed..... 163  
report of..... 173
- on death of wife of representative  
Grant of Lyme authorized and  
appointed..... 149  
report of..... 155
- on death of representative Thomas

J. Guay of Laconia authorized	
and appointed.....	141, 149
report of.....	171
on death of father of representa-	
tive Hall of Dover authorized	
and appointed.....	256
report of.....	
on death of Lucius Hamlin of	
Bartlett authorized and ap-	
pointed.....	582
report of.....	727
on death of Arthur L. Keyes of	
Milford authorized and ap-	
pointed.....	771
report of.....	811
on death of Arthur P. Morrill of	
Concord authorized and ap-	
pointed.....	994
report of.....	1040
on death of brother of representa-	
tive Roche of Keene author-	
ized and appointed.....	649
report of.....	690
on death of mother of represen-	
tative Roukey of Manchester	
authorized and appointed.....	234
report of.....	247
on death of daughter of repre-	
sentative Firmin of Fitzwil-	
liam authorized and appointed	567
report of.....	582
on death of Wm. F. Whitcomb	
of Claremont authorized and	
appointed.....	567
report of.....	581
on death of representative John	
E. White of Keene authorized	
and appointed.....	339
report of.....	369
select Chaplain authorized.....	27
appointed.....	29
report of.....	51
study accounts relative to welfare and relief authorized	
and appointed.....	149
report of.....	501



possibilities of an income tax law . . . . .	1086, 1135 1172, 1197
relief measures and recommend a relief plan . . .	51, 52
wait upon Councilors and inform them of their election .	26
report of . . . . .	30
Hon. H. Styles Bridges and inform him of his election . . . . .	26
report of . . . . .	30
Governor and inform him business of session is completed . . . . .	1237
report of . . . . .	1237
Committees, standing appointed . . . . .	58
Communication from Governor regarding service at state library . .	79
Compensation, adjusted soldiers, resolution regarding . . . . .	420, 455
of attaches of Senate and House . . . . .	413, 1235
county commissioners . . . . .	792, 832, 1023, 1034 1047, 1183, 1189, 1221
roll call on substitution . . .	1024
of Grafton county . .	999, 1085 1103, 1192, 1225, 1236
Committee of Conference asked for by House .	1192
appointed by House . .	1192
Senate . .	1233
unemployment, establishment and administra- tion of . . . . .	589, 658, 673, 848, 898, 912, 933
Committee of Conference asked for by House .	869
appointed by House . .	869
report of . . . . .	898
Comptroller transmitted payrolls . . . . .	148
Comptroller's department, state treasurer's department and Legisla- tive expenses, in favor of . . . . .	922, 1012, 1033, 1108, 1147
Concord, amending charter . . . . .	81, 169, 302, 1235
amendment of charter . . . . .	73, 169, 203, 229, 542, 714, 728
roll call on substitution . .	230, 272, 277
amendments . . . . .	272
Committee of Conference asked for by House .	543
appointed by House .	543
report of . . . . .	708
and Pembroke, improvement of Sheep road . . . . .	82, 1082
charter of . . . . .	28, 168
Condon, John J. in favor of . . . . .	668, 1235
Constitution, celebration of 150th anniversary of adoption of U. S. A. . . . .	184, 405, 423, 499
Constitutional convention, providing for . . . . .	116, 1234

- Contracts for state buildings and highways . . . . . 108, 251, 574, 622  
     635, 770, 774, 810, 911, 970, 1027, 1043  
     Committee of Conference asked for by House. 911  
         appointed by House. 911  
         Senate 1038  
     report of . . . . . 970
- Convention, constitutional providing for . . . . . 116, 1234  
     joint. See joint convention
- Conway, improvement of highway leading from Center Ossipee to  
     Conway . . . . . 106, 480, 757, 773, 876, 892
- Coos county, unemployment in . . . . . 373, 401, 404
- Corey, Eugene H. in favor of . . . . . 110, 547, 744, 752, 1089, 1184, 1201  
     Committee of Conference asked for  
         by House . . . . . 1090  
         appointed by House . . . 1090  
         Senate . . . 1135  
     report of . . . . . 1150
- Cornish toll bridge . . . . . 84, 405, 715, 729, 912, 916
- Corporations, business . . . . . 828, 882, 896, 973, 995
- Corran, Henry, in favor of . . . . . 593, 763, 839
- Cote, Donat J. of Franklin in favor of . . . . . 77  
     remodeling property on premises . . . . . 726  
         764, 839
- Cotton textile industry in New Hampshire, benefit of . . . . . 569, 573
- Coulombe, Ovide J. of Berlin, death announced . . . . . 245  
     Committee on resolutions . . . . . 245, 255
- County commissioners, compensation of . . . . . 792, 832, 1023, 1034, 1047  
     1183, 1189, 1221  
     roll call on substitution . . . . . 1024  
     of Grafton county, compensation of . . . 999, 1085  
     1103, 1192, 1225, 1236  
     Committee of Conference asked for by  
         House . . . . . 1192  
         appointed by  
         House . . . . . 1192  
         Senate . . . . . 1233  
     terms of . . . . . 107, 252  
     officials, fees of . . . . . 108, 485  
     treasurers, compensation of . . . . . 962, 973
- Court, Superior (one additional judge) . . . . . 660, 707, 1235  
     powers of . . . . . 660, 706, 712, 1067, 1147  
     relating to. 72, 122, 146, 225, 233, 366, 391, 403, 431, 487  
     relating to . . . . . 77, 121, 164, 173, 397, 559, 570

Committee of Conference asked for by House .	342, 397
appointed by House .	342, 403
Senate . . . . .	351
report of . . . . .	397, 559
terms of . . . . .	240, 461, 493, 666
Courts, municipal . . . . .	588, 621, 770, 772, 912, 916
Couvent de la Presentation de Marie, increase powers of . .	108, 216, 362
	368, 487, 495
Crafts, Harry of Derry, in favor of . . . . .	109, 441
Crime, greater detection of and apprehension of criminals . .	56, 250, 256
	312, 326, 334
Criminal apprehension of and greater detection of crime . . .	56, 250, 256,
	312, 326, 334
investigation, abolishing bureau . . . . .	807, 881
Croyden, change name of Long pond . . . . .	84, 179
Cruelty to animals, to amend act . . . . .	66, 394, 403, 1233

## D

Dalton to Whitefield, completion of road . . . . .	76, 549, 736, 751, 841, 846
Damages in suits of administrator, distribution of .	660, 707, 712, 809, 816
Dams, acquisition of by state . . . . .	102, 723
Death of Stanley H. Abbot of Wilton announced . . . . .	931
Committee on resolutions . . . . .	931, 961
Charles S. Barnes of Mason announced . . . . .	209
Committee on resolutions . . . . .	209, 271
Thomas E. Barr of Bedford announced, resolution on . .	1165
John Barry of Manchester announced . . . . .	489
Committee on resolutions . . . . .	489, 581
sister of representative Barry of Nashua announced . . .	713
Committee on resolutions . . . . .	713, 771
Nazaire Beaudet of Manchester announced . . . . .	668
Committee on resolutions . . . . .	668, 688
wife of representative Callahan of Keene announced . . .	86
Committee on resolutions . . . . .	86, 125
representative Fred Coffin of Dover announced . . . . .	1008
Committee on resolutions . . . . .	1008
Ovide J. Coulombe of Berlin announced . . . . .	245
Committee on resolutions . . . . .	245, 255
Homer Foster Elder of Dover announced . . . . .	78
Committee on resolutions . . . . .	79, 85
wife of representative Fitts of Chester announced . . . .	314
Committee on resolutions . . . . .	314, 315, 326
mother of representative Foss of East Kingston an-	
nounced . . . . .	1205
resolutions adopted . . . . .	1205

representative Morris M. Freeman of Claremont an- nounced.....	688
Committee on resolutions.....	688, 702
Stephen A. Frost of Fremont announced.....	163
Committee on resolutions.....	163, 173
wife of representative Grant of Lyme announced.....	149
Committee on resolutions.....	149, 155
Fred B. Gay of New London announced.....	994
resolutions adopted.....	994
representative Thomas J. Guay of Laconia announced..	141
Committee on resolutions.....	141, 149, 171
father of representative Hall of Dover announced.....	256
Committee on resolutions.....	256
Lucius Hamlin of Bartlett announced.....	582
Committee on resolutions.....	582, 727
Arthur L. Keyes of Milford announced.....	771
Committee on resolutions.....	771, 811
Arthur P. Morrill of Concord announced.....	994
Committee on resolutions.....	994, 1040
brother of representative Roche of Keene announced....	649
Committee on resolutions.....	649, 690
mother of representative Roukey of Manchester an- nounced.....	234
Committee on resolutions.....	234, 247
daughter of representative Firmin of Fitzwilliam an- nounced.....	567
Committee on resolutions.....	567, 582
Wm. F. Whitcomb of Claremont announced.....	567
Committee on resolutions.....	567, 581
representative John E. White of Keene announced.....	339
Committee on resolutions.....	339, 369
Declarations of candidacy and primary petitions and filling vacan- cies upon the party ticket after primary.....	74, 363, 368, 487, 533
Deer season in Sullivan county.....	101, 765
taking of.....	138, 817
Deerfield, improvement of road from Butler's corner to Ladd's corner.....	58, 406, 734, 750, 840, 892, 898
Dentistry, practice of.....	99, 177, 374, 377
Dependent mothers' aid.....	220, 442, 1010, 1033, 1108
Derry, East, fire precinct, establishment of.....	725, 807, 815, 913
.....	1071, 1136, 1147
improvement of Island Pond road.....	53, 411
in favor of Harry Crafts.....	109, 441
West, completion of road in Derry and Litchfield.....	104, 615
Descent, distribution and advancements.....	648, 718, 729, 753

Dick, Samuel M. Ph.D. of Pasadena, Cal. addressed House . . . . .	360
Dickinson, Senator L. J. of Iowa addressed House . . . . .	53
Direct relief grants to towns for payments on account of . . . . .	497, 533, 540
Diseases, occupational in New Hampshire, study of . . . . .	498, 698
	703, 916, 1037
of domestic animals . . . . .	110, 298, 904, 914, 1108, 1137, 1172
Dogs relating to . . . . .	792, 884
training of . . . . .	80, 764
Domestic animals, diseases of . . . . .	110, 298, 904, 914, 1108, 1137, 1172
Doorkeepers elected and qualified . . . . .	22, 49
Dorchester, improvement of road from Runney to Canaan . . . . .	75, 449
	735, 751, 841, 846
Dover, establishment of branch office of motor vehicle commis-	
sioner . . . . .	119, 429
Dow, Eva E. in favor of . . . . .	661, 706, 806, 815
Drawing of seats . . . . .	28, 49
Driving, drunken, to check . . . . .	93, 443
Drouin, Archie, in favor of . . . . .	53, 177, 838, 843, 995
Drugs, narcotic, defining and relating to . . . . .	498, 576
Dublin, completion of road . . . . .	115, 611, 761, 774, 1183, 1191, 1221
Dummer, improvement of road . . . . .	114, 642, 759, 773, 913, 916
Dumont, Paul of Stratford, in favor of . . . . .	104, 395, 756, 772, 1088, 1104
Dunbarton, close Gorham pond to ice fishing . . . . .	84, 179
improvement of Weare road . . . . .	82, 478, 739, 751, 841, 893, 898

## E

Eastern States exposition, appropriation for New Hampshire build-	
ing . . . . .	417, 636, 650, 832, 847
East Kingston, improvement of road . . . . .	104, 645, 743, 752, 875, 891
in favor of Bernard Merrick . . . . .	110, 639, 672, 702, 935
East Weare road, improvement and completion . . . . .	105, 605, 757, 773, 876, 892
Eaton, improvement of Brownfield road . . . . .	842, 843, 885
	934, 971, 1010, 1027
Economic recovery, to stimulate by encouragement of new build-	
ing projects . . . . .	420, 421, 553, 597, 634, 726, 992
Eggs, sale of at retail, defining fresh and regulating marking of	
size . . . . .	81, 316, 370, 387, 398, 403, 555, 599, 647, 674
Elder, Homer Foster, death announced . . . . .	78
	Committee on resolutions . . . . .
	79, 85
Election in Bethlehem, legalizing . . . . .	52, 90, 95, 138, 140
Salem, legalizing . . . . .	56, 91, 96, 138, 140
Elections, primary . . . . .	100, 308
and nomination of candidates . . . . .	100, 535
purity of . . . . .	108, 410



- relating to . . . . . 74, 206
- supervision of . . . . . 92, 484
- town . . . . . 220, 284
- Electrical rates in state, reduction of . . . . . 93, 112, 553
- Electric and gas rates, investigation of . . . . . 593, 705, 771
  - light companies, charges by . . . . . 117, 566
- Electricity, imposing tax on sale of . . . . . 1037, 1084
- Electrification, rural, to promote . . . . . 904, 991, 1009, 1185, 1202
- Elliott, Charlotte Guay, in favor of . . . . . 221, 250, 256, 308, 312
- Emergency borrowing for the state . . . . . 145, 165, 173, 248, 254
  - conservation work on state land, reimburse Federal government for . . . . . 184, 791, 795, 989, 1009, 1155, 1173
  - notes and bonds of towns, cities and counties, issuance of, with state guarantee . . . . . 81, 131, 135, 162, 545, 554
  - public works . . . . . 414, 720, 772, 836, 880, 896, 1029, 1070
  - relief administration . . . . . 55, 66, 67
    - by forestry and general improvement work, reimburse Federal government . . . . . 184, 791, 795, 989, 1009, 1155, 1173
  - of unemployment in state by highway work . . . . . 94, 112, 617
  - unemployment relief by forestry and general improvement work, continuing appropriation . . . . . 829, 904, 990, 1009, 1156, 1173
- Employees in any state department or any state institution, limiting number of persons in household . . . . . 53, 394, 628
  - defining word as used in laws relative to compensation . . . . . 1200, 1201, 1224
- Employment agencies, private . . . . . 242, 575, 585, 746
  - of married women . . . . . 98, 141, 291
  - on trunk line and state aid repair work, to regulate . . . . . 98, 145
  - service, New Hampshire state . . . . . 241, 577
  - state, relating to . . . . . 98, 576
- Epping authorized to issue refunding notes or bonds . . . . . 589, 634, 714
- Errol, providing for a special vote . . . . . 1137, 1138, 1173
- Escheat of estates . . . . . 895, 991, 1009
  - Committee of Conference asked for by Senate . . . . . 1038
  - appointed by Senate . . . . . 1038
  - House . . . . . 1038
- Establishment and maintenance of stream flow gauging stations, provide for cooperation with U. S. Geological survey . . . . . 416, 704, 713, 973, 995
- Estates, escheat of . . . . . 895, 991, 1009
  - Committee of Conference asked for by Senate . . . . . 1038
  - appointed by Senate . . . . . 1038
  - House . . . . . 1038

## F

- Fairs, agricultural, to promote . . . . . 104, 261, 277, 299, 370  
 376, 554, 841, 894, 898
- Farmington, improvement of road leading to Milton line . . . 77, 407, 736  
 751, 841, 846
- issuance of bonds . . . . . 1083, 1135, 1147
- road in Milton, improvement of . . . . . 83, 407, 740  
     751, 841, 894, 898
- village precinct ratifying action taken at annual meet-  
     ing . . . . . 93, 458, 493, 568, 580, 619
- Fees for certificates of approval from State Liquor commission and  
     manufacturers permits . . . . . 342, 829
- permits to sell beverages, increasing . . . . . 808, 889, 925, 1183  
     1200, 1201, 1202, 1224
- roll call on passage . . . . . 928
- illegal collection of, to prevent . . . . . 101, 364
- of county officials . . . . . 108, 485
- sheriffs and deputies . . . . . 98, 536
- on sale permits . . . . . 116, 161
- permit repayment of to certain persons . . . . . 105, 152, 165  
     173, 308, 312
- wages and salaries paid by state of New Hampshire . . . . 991, 1063  
     1068, 1155
- Field notes of deceased surveyors and civil engineers, authorizing  
     purchase . . . . . 206, 260, 277, 374, 422, 425
- Finances, municipal . . . . . 100, 404, 423, 540, 568, 573
- Fines imposed under fish and game, motor vehicle and weights and  
     measures laws, disposal of . . . . . 55, 767
- Fire precinct, East Derry, establishment of . . . . . 725, 807, 815  
     913, 1071, 1136, 1147
- protection and prevention, report of commission to study laws  
     relative to . . . . . 86, 90
- Firewards, firemen and fire hazards . . . . . 94, 410
- First Congregational church of Hill, Inc. . . . . 115, 237
- Fish and game advisory board . . . . . 116, 1234
- appropriation for exhibits . . . . . 112, 113, 138, 142, 164
- bear, relating to . . . . . 107, 807
- trapping of . . . . . 108, 765
- bounty on woodchucks . . . . . 102, 132
- brook trout, taking in Lake Armington in Piermont  
     314, 1235
- Canaan and Boggs brooks in Tuftonboro closed to  
     any fishing . . . . . 118, 817
- change name of Long pond in Croyden . . . . . 84, 179
- commission, to create . . . . . 185, 538, 584, 585  
     964, 1018, 1101, 1146, 1200

Committee of Conference asked for by House...	969
appointed by House...	969
Senate...	1027
report of .....	1018
deer season in Sullivan county .....	101, 765
taking of .....	138, 817
department, appropriation for...	1162, 1166, 1184, 1202
disposal of fines imposed under .....	55, 767
fishing in South Branch stream of Gale river and Zealand Pond stream in Bethlehem, to close .....	206, 1233
licenses for residents of state .....	107, 220
fish, taking of from certain waters...	242, 746, 793, 796
1093, 1200, 1203, 1224, 1236	
Committee of Conference asked for by House...	1101
appointed by House...	1101
Senate...	1136
report of .....	1176
fox and raccoon, conservation of .....	108, 1234
taking of .....	118, 765
game, taking of .....	106, 840
to conserve .....	119, 1233
hunting and fishing licenses, expiration of .....	93, 160
dogs, training of .....	80, 764
ice fishing, close Gorham pond in Dunbarton ...	84, 179
Greenwood lake in Kingston...	81, 179
Lake Tarleton in Piermont...	314, 1235
Little Massabesic pond .....	57, 180
Martin Meadow pond in Lancaster...	314
797, 816	
Nubanusit lake and Spoonwood pond .....	108, 177, 308, 512
Sunset lake in Greenfield .....	84, 764
laws, preservation of fish in Goose pond in Canaan...	73
179	
licenses for residents of state .....	107, 220
to hunt and fish .....	93, 161, 237
Little Massabesic pond closed to ice fishing...	57, 180
lobsters, taking of .....	66, 764
Long pond in Washington and Stoddard open to ice fishing .....	101, 1233
non-resident licenses for taking salt water smelt...	1039
1235	
pickerel, taking of .....	118, 253, 765, 816
pike perch, taking of .....	303, 766
raccoon and fox, conservation of .....	108, 1234

revise and amend laws . . . . .	185, 684, 709, 712, 998
1032, 1065, 1115, 1125, 1173, 1184, 1200	
Committee of Conference asked for by House . . .	1032
appointed by House . . .	1032
Senate . . .	1066
report of . . . . .	1065
situation in New Hampshire, committee appointed	
to make study relative to present status . . . . .	54
salt water smelt, taking . . . . .	434, 537
smelt fishing, close Mill brook in Holderness . . .	168, 237
to conserve game . . . . .	119, 1233
traps and snares . . . . .	95, 1233
trout, taking of in Martin Meadow pond in Lan-	
caster . . . . .	314, 790, 797, 1067
Fisheries and game committee, membership increased . . . . .	78
Fitts, representative George L. of Chester, death of wife announced	314
Committee on resolutions . . .	314, 315, 326
Flagg, Gardner D. in favor of . . . . .	67, 178, 716, 995
Food for prisoners . . . . .	72, 180
Fox and raccoon, conservation of . . . . .	108, 1235
taking of . . . . .	118, 765
Foreign insurance companies and their agents . . . . .	102, 183, 203, 312
594, 619, 659, 826, 837	
Forest land, public . . . . .	1161, 1176, 1187, 1220, 1224
Forestry commission, change of name . . . . .	1137, 1138, 1181, 1202
Foss, Mrs. Lizzie H., mother of representative Foss of East Kingston	
resolution on death of . . . . .	1205
Francestown, improvement of road . . . . .	109, 607, 758, 773, 912, 916
Franklin, in favor of Donat J. Cote . . . . .	77
remodeling property on premises . . . . .	726, 764, 829
salary of justice of municipal court . . . . .	661, 708, 713, 809, 842, 846
Fraud, to prevent . . . . .	592, 1234
Freeman, Morris M. of Claremont, death announced . . . . .	688
Committee on resolutions . . . . .	688, 702
Mrs. Morris M. in favor of . . . . .	1039, 1088, 1104
French, Lena M. of Pittsfield, in favor of . . . . .	263, 405, 423, 832, 847
Fretwell, Cyril J. elected assistant clerk . . . . .	22
Frost, Stephen A. of Fremont, death announced . . . . .	163
Committee on resolutions . . . . .	163, 173
Fuller, Enoch D. elected Secretary of State . . . . .	24

## G

Gaffney, Wm. A. of Claremont, qualified . . . . .	211
Game, taking of . . . . .	106, 840
to conserve . . . . .	119, 1233
Gas and electric rates, investigation of . . . . .	593, 705, 771

- Gasoline, elimination of taxation by Federal government . . . . . 208, 885
- Gavel presented Speaker . . . . . 259
- Gay, Fred B. of New London, resolutions on death of . . . . . 994
- General Court, transportation of . . . . . 116, 392
- Gift of land from New Hampshire-Vermont lumber company to  
state for state forest reservation and park and construction of road  
to Canadian border, acceptance of . . . . . 730, 805, 815, 835, 872, 898
- Gilford, improvement of road . . . 417, 767, 823, 876, 897, 930, 1043, 1066
- Gillespie, Nora of Hooksett, in favor of . . . . . 178, 565
- Gilmanton, improvement of Province road . . 105, 447, 757, 773, 875, 891
- Lower, improvement of old stage road from Loudon to  
    Kelley's corner . . . . . 67, 603, 734, 750, 840, 846
- road leading from Alton to Gilmanton, completion . . . 82, 407  
    739, 751, 841, 893, 898
- Goff's Falls road in Londonderry, building and improvement . . . 82, 616
- Goose pond in Canaan, preservation of fish . . . . . 73, 179
- Gordon, Seth of Washington, D. C. president American Game asso-  
ciation addressed House and Senate . . . . . 353
- Gorham pond in Dunbarton closed to ice fishing . . . . . 84, 179
- Upper village to Berlin improvement of highway . . . 109, 647
- Governor and Council, powers of . . . . . 146, 183, 260
- prorogues legislature . . . . . 1237
- takes oath of office and oath of allegiance . . . . . 30
- to provide additional allowance for traveling expenses . . 418  
    463, 493, 579, 594, 599
- Governor's contingent fund, additional appropriation . . . . . 418, 463  
    493, 594, 599
- messages. See messages from the Governor
- Grade crossings . . . . . 111, 621, 635, 693, 697, 714
- Grafton county authorized to issue bonds . . . . . 1083, 1135, 1147
- refunding notes or bonds . . . 590, 724
- clerk hire in probate office . . 676, 831, 837, 962, 973, 1037
- compensation of commissioners . . . . . 999, 1085, 1103  
    1192, 1225, 1236
- Committee of conference asked for by House . . 1192
- appointed by House . . 1192
- Senate . . 1233
- establishing commissioner districts . . . . . 286, 993
- salary of treasurer . . . . . 301, 993, 1009, 1108
- terms of probate court . . . . . 102, 233, 1235
- Granite, memorializing the use of in construction of Federal buildings  
for public works . . . . . 109, 113, 135, 136, 138
- Grant, David A, of Lyme, death of wife announced . . . . . 149
- Committee on resolutions . . . . . 149, 155
- Greenfield, close Sunset lake to ice fishing . . . . . 84, 764



- Greenville, legalize proceedings of annual town meetings... 414, 495, 499  
 Greenwood lake in Kingston closed to ice fishing... 81, 179  
 Guardians, investments by... 240, 585, 597  
     legal investments by... 153, 154, 1081-1103  
 Guay, Thomas J. of Laconia, death announced... 141  
     Committee on resolutions... 149, 171  
     family of acknowledge expression of sympathy... 211

## H

- Hagerty, Helen, Charles Francis Hood and Walter H. Hood, in  
     favor of... 147, 477, 601, 620, 832, 847  
 Hairdressing and beauty culture, establishing board of regis-  
     tration governing practice of... 303, 334  
 Hall, Carroll E. of Dover, death of father announced... 256  
     Committee on resolutions... 256  
     Forrest W. of Keene takes oath of office... 119  
 Hamlin, Lucius of Bartlett, death announced... 582  
     Committee on resolutions... 582, 727  
 Hampstead, relating to school districts... 660, 724, 884  
 Hampton beach, defining powers of village district... 415, 1235  
     river jetties, appropriation... 253, 319, 439, 456, 568, 573  
     to divide town and constitute town of Hampton Beach  
         101, 337  
 Hanover, Canaan and Lyme, construction and maintenance of  
     through highway... 77, 411  
     powers of village precinct... 286, 354, 361, 437, 438  
     reimbursed for part of expense in replacing Ledyard bridge  
         across Connecticut river... 105, 789, 796, 1108, 1147  
 Harrington, Clarence G. in favor of... 85, 564, 742, 752, 1092, 1184, 1201  
     Committee of Conference asked for by House... 1092  
         appointed by House... 1092  
         Senate... 1136  
         report of... 1149  
 Haverhill and Bath, improvement of Bradley Hill road... 842, 843  
     943, 1035, 1042, 1104, 1108  
     improvement of road... 115, 552  
 Headlights, glaring on motor vehicles... 870, 1016, 1034, 1163  
     Committee of Conference asked for by Senate... 1163  
         appointed by Senate... 1163  
         House... 1163  
         report of... 1182  
 Highway agents, appointment of... 153, 299  
     crossings, closing of... 842, 941, 971, 1010, 1027  
     department, state, to reorganize... 285, 614

- from Antrim to Franklin Pierce highway, improvement . . . 82  
479, 740, 751, 841, 846
- Dalton to Whitefield, completion . . . 76, 549, 736  
751, 841, 846
- Gorham upper village to Berlin, improvement of 109, 647
- Hinsdale to Westmoreland, establishing trunk line  
119, 616
- Hudson to Pelham in Hudson, improvement of . . . 67, 646
- Loudon to Kelley's corner in Lower Gilmanton, im-  
provement of old stage line . . . 67, 603, 734, 750, 840, 846
- Sunapee to Newbury, completion of . . . 94, 480, 742  
752, 891, 918, 933
- in Alexandria, authorizing state to take over section for  
purpose of maintenance . . . 56, 547, 704, 712, 891, 917, 933
- Alton, completion of Gilmanton road . . . 82, 407, 739  
751, 841, 893, 898
- improvement of . . . 1006, 1082, 1126  
1146, 1166, 1184, 1202
- Antrim, construction of . . . 1127, 1184, 1218, 1236
- Auburn, improvement of . . . 104, 219, 254, 612  
762, 774, 1183, 1191, 1221
- Barnstead, improvement of Province road . . . 105, 448, 757  
773, 892, 918, 934
- Barrington, completion of Barrington Depot road . . . 895, 944  
1011, 1034, 1104, 1108
- Bath and Haverhill, improvement of Bradley Hill road 842  
843, 943, 1035, 1042, 1104, 1108
- Belmont, improvement of Province road . . . 104, 446, 756  
773, 875, 891
- Tilton-Belmont road . . . 75, 615
- Boscawen, improvement of . . . 115, 610, 760, 774, 913, 916
- Brentwood, authorizing state to take over section for  
purpose of maintenance . . . 92, 614
- improvement of South road . . . 111, 411
- Bristol, authorizing state to take over section for pur-  
pose of maintenance . . . 100, 548, 705, 712, 875, 891
- Canaan and Lyme, improvement of road from Canaan  
Center to Lyme-Dorchester road . . . 82, 551
- construction of state road . . . 114, 616
- Chester, improvement of . . . 76, 444, 736, 751, 841, 917, 933
- Chesterfield, completion of . . . 592, 643, 762, 774, 1183, 1202
- Concord and Pembroke, improvement of Sheep road 82  
1082
- Conway from Center Ossipee to Conway, improvement  
of . . . 106, 480, 757, 773, 876, 892

- Deerfield from Butler's corner to Ladd's corner, improvement of . . . . . 58, 406, 734, 750, 840, 892, 898 •
- Derry, improvement of Island Pond road . . . . . 53, 411
- Dorchester, improvement of road from Rumney to Canaan . . . . . 75, 449, 735, 751, 841, 846
- Dublin, completion of . . . 115, 611, 761, 774, 1183, 1191, 1221
- Dummer, improvement of . . . . 114, 642, 759, 773, 913, 916
- Dunbarton, improvement of Weare road . . . . . 82, 478, 739  
751, 841, 893, 898
- East Kingston, improvement of . 104, 645, 743, 752, 875, 891
- Eaton, improvement of Brownfield road . . . . . 842, 843, 885  
934, 971, 1010, 1027
- Farmington leading to Milton line, improvement of 77, 407  
736, 751, 841, 846
- Francestown, improvement of . . 109, 607, 758, 773, 912, 916
- Gilford, improvement of . . . . . 417, 767, 823, 876  
897, 930, 1043, 1066
- Gilmanton, improvement of Province road . . . 105, 447, 757  
773, 875, 891
- Haverhill, improvement of . . . . . 115, 552
- Kingston, completion of Powwow road . . . . . 111, 482, 759  
773, 913, 963, 973
- Landaff, completion of . . . . . 592, 644, 762, 774, 1220, 1221
- Lee, improvement of Old Mast road . . . . . 747, 822, 877  
897, 917, 963, 973
- Lempster, improvement of . . . . . 111, 615
- Litchfield, completion of North Derry road . . . . 104, 615
- Londonderry, building and improvement of Goffs Falls road . . . . . 82, 616
- Lyme, Hanover and Canaan, construction and maintenance of through line . . . . . 77, 411
- Lyndeborough, improvement of . . . . . 75, 646
- Madbury, improvement of . . . . 109, 607, 758, 773, 912, 916
- Madison, improvement of road from Center Ossipee to Conway . . . . . 105, 448, 757, 773, 876, 892
- Manchester, improvement of section of Wellington road . . . . . 84, 551
- Milton, improvement of Farmington road . . . . . 83, 407, 740  
751, 841, 894, 898
- New Hampton, improvement of Ashland, Winona and Laconia road . . . . . 81, 407, 737, 751, 841, 846
- North Hampton, improvement of road from U. S. 1 to Little Bay bridge . . 895, 943, 1080, 1103, 1204, 1219, 1236

Committee of Conference asked for by Senate . . . . .	1145
appointed by Senate . . . . .	1145
House . . . . .	1145
report of . . . . .	1171
Nottingham, improvement of road from Northwood to Lee line . . . . .	84, 408, 742, 752, 891, 918, 933
Ossipee, improvement of Water Village road . . . . .	114, 450
	760, 773, 913, 916
Pelham, improvement of . . . . .	104, 550, 744, 752, 875, 891
Peterborough, completion of . . . . .	109, 481, 758, 773, 912, 916
Rochester and Somersworth, build first class state road on Salmon Falls road . . . . .	67, 604, 735
	751, 840, 893, 898
state, laying out . . . . .	119, 219, 355, 408
	716, 729, 840, 920, 933
Rollinsford, improvement of . . . . .	110, 876, 896, 1066, 1102, 1147
Rumney, improvement of road to Stinson lake . . . . .	82, 407, 738
	751, 841, 846
Salem from Hall's crossing to Pelham line and from Hall's crossing to the Methuen line, improve- ment of . . . . .	82, 718, 766, 839, 843, 1005
	1133, 1161, 1182, 1202, 1220, 1236
Committee of Conference asked for by House . . . . .	1006
appointed by House . . . . .	1006
report of . . . . .	1133
Sandwich from Whittier trunk line road, improvement and completion of Little Pond road . . . . .	67, 548, 735
	751, 1217, 1218, 1236
South Hampton, improvement and completion of Chase road . . . . .	104, 616
Springfield, improvement of . . . . .	162, 300
New London road . . . . .	83, 408, 841, 846
Stewartstown, improvement of . . . . .	242, 408
	762, 774, 1183, 1202
Tamworth, improvement of . . . . .	110, 608, 615, 759, 773, 913, 916
Unity, completion of . . . . .	110, 408, 759, 773, 912, 916
Wakefield, construction and permanent improvement of Province lake road . . . . .	94, 640, 743, 752, 875, 891
Walpole, improvement of . . . . .	115, 609, 760, 773, 913, 916
Warren, improvement of Breezy Point road . . . . .	106, 616
Washington, improvement of . . . . .	104, 445, 743, 752, 875, 891
Weare, improvement and completion of East Weare road . . . . .	105, 605, 757, 773, 876, 892
Westmoreland, completion of . . . . .	592, 644, 762, 774
	1183, 1218, 1236

- Wilmot, improvement of Kearsarge mountain road . . . 106  
606, 758, 773, 876, 892
- Wilton, improvement of . . . . . 105, 605, 757, 773, 876, 892
- Windham, improvement of . . . . . 104, 641, 743, 752, 875, 891
- leading from Deering to South Weare, completion of . . . 56, 615
- Meredith Neck road, relating to . . . 94, 226, 716, 729, 840, 846
- on Kearsarge mountain, laying out . 414, 613, 705, 712, 891, 898
- purposes, conveyance of land for . . . . . 301, 444, 456, 875, 891
- regulation of and control of traffic by signals or other de-  
vices . . . . . 828, 886, 896, 1066, 1070
- work, labor for . . . . . 100, 576
- Highways and state roads, building and maintenance by state high-  
way department . . . . . 56, 128, 139
- bridges and culverts throughout the state damaged or de-  
stroyed during the flood of 1927 providing funds for  
construction, reconstruction and repair . . . . . 116, 151
- reconstruction and maintenance of trunk line and state  
aided and for adjustment of aid to towns in maintain-  
ing class B highways . . . . . 146, 166, 216, 223, 270, 280
- state aided, relative to bridges on 206, 243, 260, 277, 374, 377
- aid on II or Class B . . . . . 162, 174, 216, 223, 270, 280
- Hill and Bristol, bridge over Smith's river . . . . . 105, 551
- First Congregational Church, Inc. . . . . 115, 237
- Hilliard, Frank representative from Tuftonboro presented traveling  
bag . . . . . 632
- J. I. of Pittsburg, in favor of . . . . . 114, 440, 600, 620, 710
- Hillsborough and Antrim, naming Lake Franklin Pierce . . 433, 434, 536  
544, 563, 594, 599
- county, issuance of bonds . . . . . 1006, 1131, 1141  
1183, 1190, 1221
- Hilton, Cowling, appointed to Committee on Transportation vice  
John E. White, deceased . . . . . 369
- Hinsdale to Westmoreland establishing trunk line . . . . . 119, 616
- Holderness, close Mill brook to smelt fishing . . . . . 168, 237
- in favor of town . . . . . 95, 420, 935, 971, 1234
- Committee of conference asked for by House . . . . . 1136
- appointed by House . . . . . 1137
- Homestead right . . . . . 100, 718, 725, 1234
- Hood, Charles Francis, Walter H. Hood and Helen Haggerty, in favor  
of . . . . . 147, 477, 601, 620, 832, 847
- Hooksett, in favor of Nora Gillespie . . . . . 178, 565
- Horse racing and licensing of book makers . . . . . 119, 444
- pari-mutuel pools . 53, 117, 119, 281, 284, 322, 421, 425
- Hospital at state prison . . . . . 593, 888, 1234



Hospitals furnishing care and maintenance of person in accidents, liens in favor of . . . . .	101, 205
Hours for assembling . . . . .	26
of labor . . . . .	93, 107, 827, 837, 942, 971, 1233
of employees in state institutions, reducing . . . . .	99, 336, 614
sale of beer and other beverages . . . . .	101, 830
Howard, Charles W. elected commissary general . . . . .	24
Hudson, improvement of road from Hudson to Pelham . . . . .	67, 646
Hunting and fishing licenses, expiration of . . . . .	93, 160
dogs, training . . . . .	80, 764
Hutchins, Royce, et al., in favor of . . . . .	287, 553, 588, 637

## I

Ice fishing, Gorham pond in Dunbarton closed . . . . .	84, 179
Greenwood lake in Kingston closed . . . . .	81, 179
Lake Tarleton in Piermont closed . . . . .	314, 1235
Little Massabesic pond in Auburn closed . . . . .	57, 180
Long pond in Washington and Stoddard opened . . . . .	101, 1233
Martin Meadow pond in Lancaster closed . . . . .	314, 791, 797, 816
Nubanusit lake and Spoonwood pond . . . . .	108, 177, 308, 312
Sunset lake in Greenfield closed . . . . .	84, 764
Incompatibility of certain offices . . . . .	108, 321
officers in towns . . . . .	99, 321
Industrial recovery act, New Hampshire state . . . . .	285, 724
to encourage state and national . . . . .	80, 565
Information to prosecuting officers . . . . .	178, 320, 331, 401, 422, 425
Injunctions in labor disputes . . . . .	99, 335, 352, 432, 499, 573
Insurance agents and their companies, relation between . . . . .	107, 336
Commissioner, service of process on . . . . .	117, 336
companies, foreign and their agents . . . . .	102, 183, 203, 312
. . . . .	594, 619, 659, 826, 837
liability, reimbursement of state officials for . . . . .	101, 1234
life, permit savings banks to establish departments . . . . .	98, 617
. . . . .	689
Interest for late payment of taxes, reducing . . . . .	66, 768
on loans . . . . .	117, 429
Interstate compact for establishing uniform standards for conditions of employment, to ratify . . . . .	73, 132, 260, 277, 995, 1027, 1070
cooperation, establishing New Hampshire commission . . . . .	1163
. . . . .	1164, 1202
unpaid commission of . . . . .	1006, 1062, 1068, 1181
Island Pond road in Derry, improvement of . . . . .	53, 411

## J

Joint convention . . . . .	17, 23, 29, 652, 774, 800, 931, 1069, 1119, 1205
Judd, Willie N. of Pittsburg, qualified . . . . .	120
Judiciary committee authorized to employ stenographer and messenger . . . . .	52
Jurors, relating to . . . . .	118, 536, 582
selection of . . . . .	118, 536, 583
Justice of municipal court of Franklin, salary of 661, 708, 713, 809, 842, 846	
Justices of the Peace, civil jurisdiction of . . . . .	103, 363
Juvenile and domestic sessions of the probate court and probation department, creating . . . . .	168, 181, 466, 500, 640, 700
	750, 811, 814, 835, 1018

## K

Kearsarge mountain, laying out highway on.	414, 613, 705, 712, 891, 898
road in Wilmot, improvement of . . .	106, 606, 758
	773, 876, 892
Keyes, Arthur L. of Milford, death announced . . . . .	771
Committee on resolutions . . . . .	771, 811
Kidnapping, relating to . . . . .	242, 461, 493, 568, 573
Kingston, close Greenwood lake to ice fishing . . . . .	81, 179
completion of Powwow road . . . . .	111, 482, 759
	773, 913, 963, 973

## L

Labor and industry . . . . .	242, 623, 1052, 1068, 1189
disputes, injunctions in . . . . .	99, 335, 352, 432, 499, 573
for highway work . . . . .	100, 576
hours in state institutions, reducing . . . . .	99, 336, 61
of . . . . .	107, 942, 971
relating to . . . . .	93, 827, 837, 1233
Laconia, in favor of Joseph Lettre . . . . .	103, 281, 756, 772, 1088, 1104
legalizing election . . . . .	368, 370
mayor of . . . . .	252, 1085
state school, relating to . . . . .	108, 207, 1235
Lajoie, Peter, in favor of . . . . .	95, 252, 440, 613
Lake Franklin Pierce in Hillsborough and Antrim, naming. . . . .	433, 434
	536, 544, 563, 594, 599
Lancaster authorized to issue bonds . . . . .	80, 484
close Martin Meadow pond to ice fishing . . . . .	314, 791, 797, 816
legalizing March and July town meetings . . . . .	80, 264
taking of trout in Martin Meadow pond . . . . .	314, 790, 797, 1067
Landaff, completion of Route 112 . . . . .	592, 644, 762, 774, 1220, 1221
Land adjoining state armory in Berlin, purchase of . . . . .	895, 1017
	1040, 1051

- conveyance of for highway purposes . . . . . 301, 444, 456, 875, 891
- granting consent to acquisition of by U. S. . . . . 102, 489, 492, 501
  - 538, 560, 570, 571, 728, 753
- sold for taxes, redemption of . . . . . 591, 769
- Law, practice of . . . . . 102, 282
  - by unauthorized persons and by corporations, to prevent . . . . . 110, 283, 296, 432, 454, 487
- Leaves of absence. See Absence, leaves of
- Ledyard bridge across Connecticut river, reimburse Hanover for part expense in rebuilding . . . . . 105, 789, 796, 1108, 1147
- Lee, improvement of Old Mast road . . . . . 747, 822, 877, 897, 917, 963, 973
- Legacies and successions, increasing tax . . . . . 807, 1036, 1041
  - 1051, 1183, 1221
- Legal investments of savings banks . . . . . 974, 1037, 1071
- Legalizing election in Laconia . . . . . 368, 370
- Legislative expense, treasurer's department, comptroller's department in favor of . . . . . 922, 1012, 1033, 1108, 1147
- Legislature, in favor of . . . . . 1199, 1217, 1220, 1224
  - transportation of members . . . . . 110, 393, 686, 693, 694
    - 703, 712, 1169, 1188, 1197, 1202
    - roll call on order for 3d reading . . . . . 694
  - Committee of Conference asked for by House . . . . . 1170
    - appointed by House . . . . . 1170
    - Senate . . . . . 1188
    - report of . . . . . 1175, 1198
- Lempster, improvement of road . . . . . 111, 615
- Letter from Comptroller regarding pay rolls . . . . . 148
  - family of Rev. William F. Whitcomb . . . . . 711
  - the Governor . . . . . 788
- Lettre, Joseph W. in favor of . . . . . 114, 281
  - of Laconia, in favor of . 103, 281, 756, 772, 1088, 1104
- Liability of towns . . . . . 710, 711, 769, 772, 886, 897, 996, 1028, 1071
- Library, state, remodelling . . . . . 496, 1235
- License fees for foreign bakers distributing bread and other bakery goods within the state . . . . . 591, 896, 1082
  - Speaker directed to obtain opinion of Supreme Court on constitutionality . . . . . 896
  - opinion rendered . . . . . 985
- Licenses, club . . . . . 108-161
  - fishing, for residents of state . . . . . 107, 220
  - to hunt and fish, relative to . . . . . 93, 161, 237
- Liens for water rates . . . . . 75-131
  - in favor of hospitals furnishing care, treatment and maintenance of persons injured in accidents . . . . . 101, 205
  - on real estate . . . . . 56, 92, 100, 130, 152, 155, 260, 270, 363

- upon household furniture, effects and baggage . . . . . 73, 167
- Lights and parking of motor vehicles . . . . . 255, 826, 837, 1030, 1071
- Lincoln, Abraham resolution memorializing anniversary of birth . . 182
- Liquor, advertising . . . . . 301, 829
  - and beer questions, local option on . . . . . 76, 152
  - confiscation of in certain cases . . . 66, 546, 561, 573, 585, 666, 714
  - intoxicating, local option on traffic in . . . . . 117, 126, 183
    - regulation of traffic . . . . . 118, 294
    - to regulate traffic (new title) . . . 366, 391, 403, 431
      - 487, 590, 882, 896, 995, 1185, 1221
  - keeping for sale . . . . . 305, 378, 389, 425
  - laws relating to . . . . . 93, 166, 173, 244, 278, 297
    - rules and regulations . . . . . 103, 294, 356, 361, 871
    - roll call on substitution . . . . . 356
    - terms used in . . . . . 107, 161
  - net income from sale of, taxation by Federal government 134
    - 138, 140
  - or beverages, sale of in any city or town, recount of ballots
    - on question . . . . . 431, 487
  - prevent fraudulent signing for . . . . . 99, 166
  - providing for damages caused by . . . . . 74, 310
  - sale of . . . . . 66, 94, 238, 374, 377, 378, 710, 714
    - to forfeit automobiles for illegal transportation . . . . 111, 485
- Litchfield, completion of North Derry road . . . . . 104, 615
- Little Bay bridge . . . . . 102, 151, 155, 260, 270
  - Boar's Head district in North Hampton, powers of . . . . 498, 614
  - Harry E. qualified . . . . . 27
  - Pond road from Sandwich to Whittier trunk line, improve-
    - ment and completion . . . . . 67, 548, 735, 751, 1217, 1218, 1236
  - river in North Hampton, in favor of . . . . . 84, 674
- Live stock killed and damage done by bears, reimburse certain
  - persons . . . . . 263, 552, 636, 650, 995
- Loans, interest on . . . . . 117, 429
  - small, regulation of . . . . . 99, 118, 441, 486, 543
- Lobsters, taking of . . . . . 66, 764
- Local option on traffic in intoxicating liquor . . . . . 117, 126, 183
- Locke, Leroy H. in favor of . . . . . 418, 587, 638
- Londonderry, building and improving Goffs Falls road . . . . . 82, 616
- Long Island bridge in Moultonborough, reconstruction of . 114, 646, 805
  - 815, 1191, 1221
- pond in Croydon, change name . . . . . 84, 179
  - Washington and Stoddard open to ice fishing . . . 101, 1233
- Lord's Day, observance of . . . . . 413, 546, 569, 1031, 1040, 1051
- Lotteries, relating to . . . . . 302, 411, 434, 554
- Lunch period for women and minors, providing for . . . 106, 217, 223, 401

Lying-in hospitals, transferring regulation to state board of health	53
	122, 127, 222, 225
Lyne and Canaan, improvement of road from Canaan Center to	
Lyne-Dorchester road	82, 551
authorized to issue refunding notes or bonds	659, 693, 714
Hanover and Canaan, construction and maintenance of	
through highway	77, 411
Lyndeborough, improvement of road	75, 646

## M

Madison, improvement of road from Center Ossipee to Conway	105, 448
	757, 773, 876, 892
Manchester, amend act enabling city to establish water works	1132
	1183, 1202
improvement of section of Wellington road	84, 551
in favor of Herbert C. Trenoweth	115, 441, 624
military drill for schools	667, 714
Safety Deposit and Trust Co. to change name	178, 225
	233, 279, 308
Manuals, Clerk instructed to procure	28
Margarine made from imported oils and fat, excise tax on	286, 371, 387
	399, 440, 456, 579, 714
	veto of Governor
	roll call on veto
	746
Married women, employment of	98, 141, 291
Martin Meadow pond in Lancaster, closed to ice fishing	314, 791
	797, 816
taking of trout	314, 790, 797, 1067
Masonic Home to amend charter	73, 97, 127, 153, 170, 174
Masserelli, Michael, and Rose and Rose Spiegel, in favor of	303, 565
Maternal and child health and child welfare	969, 1127, 1146, 1183
Mayor of Laconia	252, 1085
Measuring and weighing devices, registration of	725, 806, 815, 995
Members unseated, to compensate	115, 394, 1017
Meredith, annexing certain islands in Lake Winnepesaukee to	
town	74, 587
authorized to issue refunding notes or bonds	320, 334, 340
Neck road, relating to	94, 226, 716, 729, 840, 846
New Hampton road, completion and improvement of	
road from said road to Laconia line	75, 406, 735
	751, 841, 846
New Hampton road, improvement of	75, 406, 735
	751, 841, 846
validating notes relative to borrowing in anticipation of	
taxes	590, 621, 634



- Merrick, Bernard of East Kingston, in favor of . . . 110, 639, 672, 702, 935
- Merrimack, issue of notes by county . . . . . 221, 227, 233, 255, 279, 297  
     river, procurement of Federal cooperation in stabilizing 279  
     308
- Messages from the Governor . . . . . 18, 31, 157, 212, 234, 258  
     652, 775, 800, 931, 1069, 1119, 1206
- Senate . . . . . 23, 29, 52, 57, 67, 83, 95, 112, 127  
     135, 140, 153, 162, 170, 202, 207, 222, 228, 244, 254  
     270, 277, 296, 304, 311, 326, 333, 340, 351, 359, 365  
     368, 373, 386, 388, 400, 420, 432, 436, 453, 456, 487  
     499, 540, 554, 568, 579, 593, 619, 633, 647, 666, 687  
     693, 697, 710, 728, 730, 746, 770, 809, 832, 840, 848  
     891, 912, 917, 962, 995, 1026, 1037, 1066, 1088  
     1107, 1135, 1145, 1155, 1163, 1168, 1169, 1183  
     1200, 1204, 1217, 1232
- Metcalf, John T., elected doorkeeper . . . . . 22
- Milan, in favor of . . . . . 914, 990, 1052, 1068, 1217, 1221
- Mileage role . . . . . 1138  
     under House Bill No. 221 . . . . . See appendix
- Madbury, improvement of road . . . . . 109, 607, 758, 773, 912, 916
- Madison, change name of Silver lake to Lake Madison . . . . . 413, 536
- Military drill in school districts . . . . . 101, 126, 205, 211, 667, 714  
     for schools in Manchester . . . . . 667, 714
- Milk cans, cases, bottles, boxes, jars or jugs, brands for . . . 559, 674, 691  
     795, 833, 847  
     to control distribution and sale of . . . . . 53, 112, 219, 248  
     280, 296, 370, 374
- Mill brook in Holderness closed to smelt fishing . . . . . 168, 237
- Milton, improvement of Farmington road . . . . . 83, 407, 740  
     751, 841, 894, 898
- Minimum wage for women and minors . . . . . 569, 889, 1050  
     ratify interstate compact for establishing . . 73, 132, 260  
     277, 995, 1027, 1070
- Minors, false statement of age by . . . . . 253, 477, 677, 691, 1233
- Morgan, Ernest W., in favor of . . . . . 418, 586, 637  
     of Bow, qualified . . . . . 211
- Morrill, Hon. Arthur P., of Concord, death announced . . . . . 994  
     Committee on resolutions . . . . . 994, 1040
- Mortgages, personal property and other investments . 314, 442, 456, 545
- Mortuary regulations . . . . . 420, 421, 719, 838, 843, 916
- Mother's aid, providing for additional . . . . . 75, 91, 96, 127, 138  
     dependent, aid for . . . . . 220, 442, 1010, 1033, 1108, 1147
- Motor vehicle accidents, liability for . . . . . 497, 628  
     commission, establish branch office at Dover . . 119, 429

- commissioner, appeals from decisions of . 99, 627, 672, 701
  - service of process on . . . . . 117, 269
- law, administration of . . . . . 84, 628, 693, 697, 753
- laws, relating to . . . . . 72, 73, 269, 624, 649, 650, 669, 1235
  - roll call on resolution inexpedient to legislate . . 624
  - motion to indefinitely postpone . . . 670
  - disposal of fines imposed under . . . . . 55, 767
- liability insurance compulsory . . . . . 119, 1234
- licenses and registration, revocation and suspension
  - of . . . . . 77, 391
    - expiration of . . . . . 93-264
    - fees for registration . . . . . 108-578
- permit fees, transfer credits for . . . . . 271, 575
- registrations, municipal permits and licenses for oper-
  - ators, expiration of . . . . . 27, 57, 443
- repair, licensing persons engaged in . . . . . 103, 429
- vehicles, extended use of 1934-1935-1936 number plates . . . . 68
  - 71, 78
- financial aid and purchase of . . . . . 117, 486
- glaring headlights . . . . . 870, 1016, 1034, 1163
  - Committee of Conference asked for by Senate . . 1163
    - appointed by Senate . . 1163
    - House . . 1163
    - report of . . . . . 1182
- issuance to minors of licenses to operate . . . . . 107, 392
- lights and parking . . . . . 255, 826, 837, 1030, 1071
- operation in state by non-residents . . . . . 116, 576
  - of . . . . . 118, 301, 410, 428, 436, 556
    - 599, 647, 714, 835, 941, 972, 973
  - veto of Governor . . . . . 787
    - roll call on veto . . . . . 797
  - while under influence of intoxicating
    - liquor . . . . . 72, 391
- parking rules, regulations, orders, ordinances and
  - by laws, non-criminal disposition of charges for
    - violation . . . . . 102, 485
- permits to operate . . . . . 111, 430
- prohibit parking on public highways without
  - lights . . . . . 99, 392
- reciprocal privileges in registration and operation
  - 102, 485
- reflectors on . . . . . 93, 409
- registration and operation by non-residents . . . . . 895
  - 935, 971, 973
- permits . . . . . 66, 269

fees for trucks used for agricultural purposes . . . . .	227, 317, 331, 533, 568, 573
regulate speed on highways . . . . .	103, 392
relating to . . . . .	116, 119, 392, 495, 532, 710
safety glass on . . . . .	255, 271, 568, 569, 637, 650, 711, 753
trailers . . . . .	93, 150, 302, 428, 436, 554, 573, 828, 837
uniform standards for weight and size . . . . .	103, 150, 444
used for illegal transportation, to forfeit . . . . .	111, 485
weight and length . . . . .	102, 150, 451
of . . . . .	94, 150, 769, 836, 871, 874
931, 971, 1032, 1043, 1047, 1155, 1172	
roll call on passage . . . . .	1044
Moultonborough, annexing certain islands in Lake Winnepesaukee	
to town . . . . .	116, 141, 1148
reconstruction of Long Island bridge . . . . .	114, 646, 805
	815, 1191, 1221
Moving pictures and other shows, licensing . . . . .	226, 392
Mount Washington summit and other properties, provide for acquisition by state . . . . .	725, 1017
Mudge, representative Wm. F. of Northwood congratulated on birth of daughter . . . . .	539
Munder, Eudora M. of Springfield, Mass., in favor of . . . . .	105, 318
	620, 832, 847
Municipal budget act . . . . .	115, 246, 259, 270
court of Franklin, salary of justice . . . . .	661, 708, 713
	809, 842, 846
courts . . . . .	588, 621, 770, 772, 912, 916
finances . . . . .	100, 404, 423, 540, 568, 573
lighting system, relating to . . . . .	80, 699, 817, 837
	996, 1216, 1233, 1235
Committee of Conference asked for by House . . . . .	997
appointed by House . . . . .	997
Senate . . . . .	1038
report of . . . . .	1188
water works . . . . .	286, 428, 436, 554, 573

## N

Narcotic drugs, defining and relating to . . . . .	498, 576
Narcotics, relating to . . . . .	1133, 1162, 1204, 1222, 1224, 1236
Nashua, amending charter . . . . .	109, 169, 173, 340, 355, 370
public schools . . . . .	206, 1234
repealing act amending charter . . . . .	724, 809, 834, 847
Y. M. C. A. amending charter . . . . .	710, 711, 795, 833, 847
Native home industries . . . . .	111, 268, 439, 456, 666

- Neal, Guy S. and others, in favor of . . . . . 167, 216, 223, 313  
     316, 1171, 1217, 1224  
     elected Sergeant-at-Arms . . . . . 22
- Neglected and delinquent children . . . . . 168, 181, 463, 500, 640  
     700, 750, 811, 835, 1018  
     roll call on substitution . . . . . 812
- Newbury, in favor of Newell Ray Blodgett . . . . . 146, 477, 717  
     729, 1088, 1104
- New Durham, legalizing November election . . . . . 80, 121, 127, 153, 164
- New England Council advertising fund . . . . . 847, 934, 971  
     1088, 1154, 1184, 1202
- New Hampshire Bridle Path commission, creating . . . . . 117, 336  
     building at Eastern States exposition, appropri-  
     tion for . . . . . 417, 636, 650, 832, 847  
     commission on interstate cooperation, establish-  
     ing . . . . . 1163, 1164, 1202  
     state industrial recovery act . . . . . 285, 724  
     Universalist state convention . . . . . 591, 710, 714  
     Vermont boundary, perambulation of . . . . . 589, 622, 678  
     691, 832, 847  
     relating to . . . . . 589, 622, 678  
     691, 832, 846  
     Veterans' association at the Weirs, upkeep and  
     maintenance of grounds . . . . . 105, 144, 151, 876, 892  
     Water Resources board, to establish . . . . . 874, 948  
     971, 1108, 1147
- New Hampton, improvement of the Ashland, Winona and Laconia  
     road . . . . . 81, 407, 737, 751, 841, 846  
     Meredith road . . . . . 75, 406, 735  
     751, 841, 846
- New London road in Springfield, improvement . . . . . 83, 408, 741, 752, 841
- Newport enabled to fund or refund its indebtedness . . . . . 209, 243, 246, 259
- Newspapers, resolution regarding . . . . . 28
- Non-residents, registration and operation of motor vehicles . . . . . 895, 935  
     971, 973
- Norcross, Edward, in favor of estate . . . . . 661, 706, 839, 843, 1088, 1104
- North Hampton, improvement of road from U. S. 1 to Little Bay  
     bridge . . . . . 895, 943, 1080, 1103, 1204, 1219, 1236  
     Committee of Conference asked for by Senate . . . . . 1145  
     appointed by Senate . . . . . 1145  
     House . . . . . 1145  
     report of . . . . . 1171
- in favor of breakwater . . . . . 84, 675, 717, 729, 912, 963, 973  
     Little river . . . . . 84, 674  
     powers of Little Boar's Head district . . . . . 498, 614

Notes, issue of, by county of Merrimack. . . . .	221, 227, 233, 255, 279, 297
or bonds, refunding, Alexandria authorized to issue . . . . .	412, 461
	533, 540
Barnstead authorized to issue. . . . .	270, 296
	312, 316
Boscawen authorized to issue. . . . .	167, 217
	223, 296, 308
Epping authorized to issue. . . . .	589, 634, 714
Grafton authorized to issue. . . . .	590, 724
Lyme authorized to issue. . . . .	659, 693, 714
Meredith authorized to issue. . . . .	320, 334, 340
Somersworth authorized to issue . . . . .	360, 397
	403, 439, 495, 499
Webster authorized to issue . . . . .	497, 574
	585, 666, 714
Nottingham, improvement of road from Northwood line to Lee. . . . .	84, 408
	742, 752, 891, 918, 933
Nubanusit lake and Spoonwood pond, ice fishing . . . . .	108, 177, 308, 312
Nugent, Georgianna, in favor of . . . . .	303, 706, 934, 971, 1135, 1147
Nuisances, relating to . . . . .	74, 95, 132, 135, 401, 425

## O

Occupational diseases in New Hampshire, study of . . . . .	498, 698
	703, 916, 1037
Officers in towns, incompatibility of . . . . .	99, 32
Old age assistance . . . . .	103, 107, 321, 566, 1234
Old Mast road in Lee, improvement of . . . . .	747, 822, 877
	897, 917, 963, 973
One day of rest in seven . . . . .	103, 261, 277, 1233
On sale permit fees . . . . .	116, 161
Opinion of Supreme Court on constitutionality of H. B. 405, Speaker directed to obtain . . . . .	896
	opinion rendered . . . . . 985
Optometry, practice of . . . . .	497, 574, 585, 666, 674
Ossipee, improvement of Water Village road . . . . .	114, 450, 760, 773, 913, 916
Overseers of the poor . . . . .	101, 396

P

Pari-Mutuel pools . . . . .	94, 281
and horse racing . . . . .	53, 117, 119, 281, 284, 322, 421, 425
Paroled prisoners, relative to . . . . .	414, 637, 650, 714
Patten, Charles T., elected state treasurer . . . . .	24
Paupers, settlement of . . . . .	67, 409, 596, 945, 1007
Pelham, improvement of road . . . . .	104, 550, 744, 752, 875, 891
Pellerin, Alfred, in favor of . . . . .	85, 251, 318, 693, 703, 1026



Pembroke and Concord, improvement of Sheep road . . . . .	82, 1082
Penacook, Union school district . . . . .	456, 568, 791, 797, 833, 847
Pensions to certain aged citizens and for ways and means of raising required revenue . . . . .	56, 73, 180, 337
Perambulation of New Hampshire-Vermont boundary . . . . .	589, 622, 678 691, 832, 847
town lines . . . . .	184, 363, 368, 495, 499
Permit fees, repayment to certain persons . . . . .	105, 152, 165, 173, 308, 312
Personal privilege, Mr. Buffum of Dunbarton rose to question of . . .	1040
Mr. Courtemanche of Allenstown rose to ques- tion of . . . . .	1007
Mr. Keefe of Dover rose to question of . . . . .	154, 889
Mr. Leahy of Claremont rose to question of . . . . .	361
Mr. Molloy of Nashua rose to question of . . . . .	848
Mr. McDonough of Dover rose to question of . . . . .	126
Mr. Pierce of Bennington rose to question of . . . . .	1182
Mr. Wylie of Concord rose to question of . . . . .	649
property in unorganized places . . . . .	100, 298, 306, 374, 390, 487
mortgages and other instruments . . . . .	314, 442, 456
Persons under arrest, protection of . . . . .	72, 180
Peterborough, completion of road . . . . .	109, 481, 758, 773, 912, 916
management of water works . . . . .	452, 535, 544, 593, 599
water consumers . . . . .	81, 217, 223, 308, 312
Pettee, Dean Charles Holmes, birthday greetings extended to . . . .	154
Petition of Dennis Brennan of Rochester praying for a seat in the House . . . . .	55, 196
roll call on motion to seat . . . . .	197
Frank E. Colby of Bow praying for a seat in the House . . . . .	55
Wm. A. Gaffney of Claremont praying for a seat in the House . . . . .	55, 147, 199
Samuel L. Henderson of Dover praying for a seat in the House . . . . .	55, 192
roll call on motion to substitute . . . . .	193
Ernest W. Morgan of Bow praying for a seat in the House . . . . .	55, 199
roll call on . . . . .	200
citizens of Berlin favoring passage of House bills Nos. 305 and 306 . . . . .	573
Claremont relating to chain store tax legisla- tion . . . . .	71
Epsom protesting against passage of House bill No. 181 . . . . .	353
New Hampshire protesting against passage of House bill No. 438 . . . . .	845

- Northwood protesting against legalizing liquor  
and gambling . . . . . 370
- Salisbury in relation to trapping of foxes . . . . 65
- Pharmacy, practice of and sale of drugs . . . . . 119, 319, 372  
387, 399, 420, 1234
- Pickerel, taking of . . . . . 118, 253, 765, 816
- Pickford, Wm. F., in favor of . . . . . 85, 250, 756, 772, 1090, 1184, 1201
- Committee of Conference asked for by House . . 1091
- appointed by House . . 1091
- Senate . . 1135
- report of . . . . . 1149
- Pierce, Col. Arthur J. representative from Bennington invited to  
address House . . . . . 1066
- Piermont, closing Lake Tarleton to ice fishing . . . . . 314, 1235
- taking brook trout in Lake Armington . . . . . 314, 1235
- Pike perch, taking of . . . . . 303, 766
- Pingree, Robert W. of Berlin appointed reading clerk . . . . . 106
- Pittsfield, in favor of Lena M. French . . . . . 263, 405, 423, 832, 847
- Pittsburg, in favor of J. I. Hilliard . . . . . 114, 440, 600, 620, 710
- Planning and Development, state . . . . . 94, 162, 165, 204, 211, 228, 236
- boards, provide for city, town, village district and regional . . . . . 95  
297, 306, 556, 573
- Plumbers' examining board, membership of . . . . . 117, 486, 1115  
1173, 1220, 1221
- Plumbing and licensing of plumbers . . . . . 111, 618
- Plymouth Normal school (closing for two years) . . . . . 808, 1036
- Police commissioners of Portsmouth, powers and duties . . . . . 252, 376  
537, 544, 912, 916
- force, state, constituting . . 103, 945, 1008, 1009, 1033, 1047, 1128
- roll call on substitution . . . . . 1047
- relating to . . . . . 167, 632, 649, 689
- Political parties, rights of . . . . . 74, 404, 423, 1235
- Poll tax for women, to abolish . . . . . 93, 1234
- Polls, taxation of . . . . . 808, 879, 922
- roll call on substitution . . . . . 922
- Portsmouth, to amend charter . . . . . 81, 295, 304, 315, 384, 912
- exempt from taxation property owned by Warner  
House association . . . . . 110, 160
- exemption from taxation Womans' City Club . . . . . 81, 205
- powers and duties of police commissioners . . . . 252, 376, 537  
544, 912, 916
- Poultry to be used for food, buying or selling . . . . . 227, 318, 373, 430  
462, 493, 619, 647, 674
- Powers of Governor and Council . . . . . 146, 183, 260
- Superior Court . . . . . 660, 706, 712, 1067, 1147

- Powwow road in Kingston, completion of . . . 111, 482, 759, 773, 913, 963, 973
- Prayers, resolution regarding . . . . . 52
- Presentation of flowers to representative Callahan of Keene on  
     74th anniversary of his birth . . . . . 437  
     silver to representatives Keefe of Dover and Wilson  
     of Manchester . . . . . 1182  
     traveling bag to representative Hilliard of Tufton-  
     boro . . . . . 632
- Primary elections . . . . . 100, 308  
     and nomination of candidates . . . . . 100, 535
- Prisoners, food for . . . . . 72, 180  
     paroled, relative to . . . . . 414, 637, 650, 710, 714
- Probate appeals . . . . . 591, 706  
     court, creating juvenile and domestic sessions and a proba-  
     tion department . . . . . 168, 181, 466, 500, 640  
     700, 750, 811, 814, 835, 1018  
     court for Grafton county, terms of . . . . . 102, 233, 1235  
     office of Grafton county, clerk hire . 676, 831, 837, 962, 973, 1037  
     Rockingham county, clerk hire . . . . . 106, 184, 203  
     270, 278, 297
- Probation department and juvenile and domestic relations session  
     of the probate court, creating . . . 168, 181, 466  
     500, 640, 700, 750, 811, 814, 835, 1018  
     for the efficient administration of justice . . . 168  
     181, 466, 500, 640, 700, 750, 811, 814, 835, 1018
- Profits obtained by towns through sales of real estate bought for  
     taxes, disposal of . . . . . 111, 1012, 1033, 1035, 1051, 1233
- Prosecuting officers, furnishing information to . . . . . 178, 320, 331  
     401, 422, 425
- Province lake road in Wakefield, construction and permanent im-  
     provement . . . . . 94, 640, 743, 752, 875, 891  
     road in Barnstead, improvement of . . . . . 105, 448, 757  
     773, 892, 918, 934  
     Belmont, improvement of . . 104, 446, 756, 773, 875, 891  
     Gilmanton, improvement of . . . . . 105, 447, 757  
     773, 875, 891
- Provincial records, authorizing repairs of certain . . 77, 130, 135, 174, 202  
     and state records, providing for publication, collection  
     and distribution . . . . . 77, 129, 135, 174, 202
- Public employment of veterans 253, 828, 837, 920, 1064, 1115, 1186, 1221  
     Committee of Conference asked for by House . 921  
     appointed by House . 921  
     Senate 1038  
     report of . . . . . 1064
- expenditures, investigation into . . . . . 111, 1234

forest lands . . . . .	1161, 1176, 1187, 1220, 1224
library commission, staff of . . . . .	102, 225, 614
service commission, relating to . . . . .	184, 486, 574, 636, 650
issuance and enforcement of orders by . . . . .	728, 770, 964, 975, 1037, 1070
459, 493	
utilities and railroads . . . . .	725, 884, 896, 995, 1027, 1070
laws established, committee to study problem of	
provisions . . . . .	53, 97, 249, 256, 375, 378
waters, special fund for maintenance of . . . . .	241, 391, 637
works, emergency . . . . .	414, 720, 772, 836, 880, 896, 1029, 1070
Pulaski memorial day resolution, memorializing Congress to pass and	
President to approve . . . . .	303, 627

## R

Rabies among domestic animals . . . . .	116, 763
Raccoon and fox, conservation of . . . . .	108, 1235
taking of . . . . .	118, 765
Railroad, Upper Coos, to dissolve . . . . .	84, 147, 151, 254, 280
Railroads and public utilities . . . . .	725, 884, 896, 995, 1027, 1070
Rail service and facilities curtailed or abandoned, appropriation for	
aid of state and communities effected by . . . . .	167, 577
Raymond, in favor of town . . . . .	104, 236
Reading clerk, appointment authorized . . . . .	72
Robert W. Pingree of Berlin appointed . . . . .	106
Real estate bought for taxes, disposal of profits obtained by towns	
from sales of . . . . .	111, 1012, 1033, 1035, 1051, 1233
brokers and salesmen . . . . .	67, 535
lien on . . . . .	56, 92, 100, 130, 152, 155, 260, 270, 363
levy of execution on . . . . .	111, 458, 493, 666, 687
Recess commission to study possible billboard legislation . . . . .	1164, 1167
real estate transactions, report of . . . . .	186
Reconsideration of House bill No. 40, notice of . . . . .	648
No. 136, notice of . . . . .	388
No. 275, notice of . . . . .	420
Registers of deeds and probate required to report information to	
selectmen and assessors . . . . .	99, 426, 436, 568, 580, 619
for Strafford county . . . . .	659, 709, 712, 809, 816
Relief administration, emergency . . . . .	55, 66, 67
expenditures for, report of committee on investigation . . . . .	501
relating to . . . . .	75, 131, 135, 162, 171, 174
work, relating to . . . . .	566, 621, 877, 896, 916
Representatives hall, use of allowed Mr. Putnam of Antrim for lec-	
ture . . . . .	227

granted the G. A. R. ....	326
New Hampshire Conference of Social Work. ....	387
State Highway department for public meeting. ....	727
for holding state wide Federal housing meeting. ....	532
Residents of New Hampshire, employment on state work. ....	95, 443
Resolution adjourning House in memory of Clarence E. Clough of Lebanon. ....	434
amending section 13 of the Joint Rules of the Senate and House of Representatives. ....	71
authorizing appointment of committee to accompany Governor to Washington to consult with Federal administrator. ....	150
appointment of committee to consider Fed- eral legislation relating to old age pen- sions, mothers' aid, child welfare and other social subjects. ....	657
appointment of committee to inform Gov- ernor quorum has assembled. ....	17
appointment of committee to investigate functions of the various departments and commissions. ....	54, 57
appointment of committee to make a study relative to present status of the fish and game situation in New Hampshire. ....	54
appointment of committee to study ac- counts relative to welfare and relief. ....	149
appointment of committee to study possi- bilities of an income tax law. ....	1086, 1135 1172, 1197
appointment of committee to wait upon Governor and inform him that legislature has completed business of session. . .	1236, 1237
Clerk to appoint stenographers. ....	27
Speaker to appoint a committee to study relief measures and recommend a relief plan	51
Speaker to appoint a reading clerk. ....	72
changing hours of sessions of House. ....	689
directing Committee on Appropriations to report House Bill No. 341. ....	752
delegation from Belknap county to report House Bill No. 235. ....	1134
Speaker to obtain opinion of Supreme Court on constitutionality of House Bill No. 405. ....	896



expressing esteem in which Governor Winant is held. . .	21
solicitude for illness of Governor Bridges. . . .	728
sympathy of House to President of the Senate Charles M. Dale. . . . .	244
sympathy on illness of James F. Tonery Custodian of mail and supplies. . . . .	1216
sympathy to Wm. A. Lee of Concord on the death of his brother. . . . .	163
extending birthday greetings to Dean Charles Holmes Pattee of Durham. . . . .	154
for final adjournment. . . . .	583
increasing membership of Committee on Agriculture. . .	112
Fisheries and Game. . . . .	78
instructing Clerk to procure 1000 copies of House Bills Nos. 305-306 and 330. . . . .	1200
Committee on Appropriations to report on House Bill No. 221. . . . .	686
Committee on Elections to count ballots in contested election cases. . . . .	154
Committee on Rules regarding introduction of bills and joint resolutions. . . . .	597
Comptroller to furnish to Clerk of House an itemized copy of all payrolls relating to House Bill No. 417 of 1933 session. . .	140
Sergeant-at-Arms to procure newspapers. . . .	28
inviting Col. Arthur J. Pierce to address House. . . . .	1066
Senate to meet House in joint convention to receive message from Governor. . . . .	1205
James E. Van Zandt National Commander in Chief V. F. W. to address Senate and House. .	713
joint providing for celebration of the 150th anniversary of adoption of the constitution by the U. S. A. . . . .	133
memorializing anniversary of birth of Abraham Lincoln Congress to pass Vinson adjusted compensation bill. . . . .	399
notifying Senate House will meet them to receive Governor. . . . .	17, 28
on death of Stanley H. Abbott of Wilton. . . . .	931, 961
son of representative Barnes of Mason. . . .	209, 271
Thomas E. Barr of Bedford. . . . .	1165
John Barry of Manchester. . . . .	489, 581
sister of representative Barry of Nashua. . . .	713, 771
Nazaire Beaudet of Manchester. . . . .	668, 688

- wife of representative Callahan of Keene . . . 86  
106, 125
- representative Fred Coffin of Dover . . . . . 1008  
1009, 1087
- Ovide J. Coulombe of Berlin . . . . . 245, 255
- Homer Foster Elder of Dover . . . . . 78  
79, 85
- daughter of representative Firmin of Fitz-  
william . . . . . 567, 582
- wife of representative Fitts of Chester . . . . . 314  
315, 326
- representative Morris M. Freeman of  
Claremont . . . . . 688, 702
- mother of representative Foss of East Kings-  
ton . . . . . 1205
- Stephen A. Frost of Fremont . . . . . 163, 173
- Fred B. Gay of New London . . . . . 994
- wife of representative Grant of Lyme . . 149, 155
- Thomas J. Guay of Laconia . . . . . 141, 149, 171
- father of representative Hall of Dover . . . . . 256
- Lucius Hamlin of Bartlett . . . . . 582, 727
- Arthur L. Keyes of Milford . . . . . 771, 811
- Hon. Arthur P. Morrill of Concord . . . 994, 1040
- brother of representative Roche of Keene  
649, 690
- mother of representative Roukey of Man-  
chester . . . . . 234, 247
- Wm. F. Whitcomb of Claremont . . . . . 567, 581
- representative John E. White of Keene. 339, 369
- opposing Townsend plan . . . . . 222, 420, 436, 1235
- recommending restoration of pay cut at Salem race  
track . . . . . 1107
- referring votes of Governor and Councillors to commit-  
tee to examine, compare and count . . . . . 23
- regarding appointment of committee to make prepara-  
tions for 4th of July celebration . . . . . 1051
- hearings advertized in journal . . . . . 134
- prayers . . . . . 52
- rules of the House . . . . . 27
- soldiers' adjusted compensation . . . . . 420, 455
- studying Merrimack valley public works  
projects . . . . . 276
- relating to resolutions sent Congress of the United States 339
- requesting Director of Relief and Director of Welfare to  
transmit to House list of personnel . . . . . 870  
871, 905

Governor to remove Judge David C. Chase of Seabrook from office . . . . .	1123, 1151, 1168
roll call on substitution . . . . .	1152
Secretary of State to lay before convention votes for Governor and Councillors . . . . .	23
Senators Brown and Keyes to vote against adherence to World Court . . . . .	142, 150
suspending joint rule No. 11 . . . . .	1200
Restaurants, taking beer licenses from . . . . .	110, 678
toilet facilities in . . . . .	119, 300, 372, 376, 997, 1221
Committee of Conference asked for by House . . . . .	998
appointed by House . . . . .	998
Senate . . . . .	1038
report of . . . . .	1167
Retail outlets maintained in state by private corporations, method of licensing . . . . .	109, 219, 485
Revenue for state, cities and towns, establishing commission to raise additional . . . . .	99, 379, 388
roll call on substitution . . . . .	382
loss suffered by state, to rehabilitate state treasury . . . . .	1063
1104, 1116, 1124, 1217, 1221	
roll call on passage . . . . .	1116
Richmond and Troy, town lines of . . . . .	243, 260, 271
relating to town . . . . .	178, 251, 256, 312, 354
Roche, Harry V., brother of representative Roche of Keene, death announced . . . . .	649
Committee on resolutions . . . . .	649, 690
Rochester and Somersworth, to build first class state road on the Salmon Falls road . . . . .	67, 604, 735, 751, 840, 893, 898
laying out state highway . . . . .	119, 219, 355, 408
716, 729, 840, 920, 933	
Rockingham county clerk hire in probate office . . . . .	106, 184, 203
270, 278, 297	
salaries of commissioners . . . . .	676, 746, 753
salary of treasurer . . . . .	676, 726, 729, 962, 973
Roll call on address for removal of David C. Chase judge of municipi- pal court of Seabrook, substitution . . . . .	1152
petition of Dennis E. Brennan of Rochester for seat in the House . . . . .	197
Samuel L. Henderson of Dover for seat in the House . . . . .	193
Ernest W. Morgan of Bow for seat in the House . . . . .	200
motion to adjourn . . . . .	143
House Bill No. 40, indefinitely postpone . . . . .	670
inexpedient to legislate . . . . .	624

No. 42, amendments . . . . .	274
substitution . . . . .	230
No. 113, passage . . . . .	1044
No. 136, substitution . . . . .	382
No. 178, substitution . . . . .	1047
No. 181, substitution . . . . .	356
No. 221 order for third reading . . . . .	694
No. 294, substitution . . . . .	812
No. 429, substitution . . . . .	1024
No. 436, substitution . . . . .	922
No. 437, passage . . . . .	928
No. 458, passage . . . . .	1116
opening . . . . .	4
mileage . . . . .	1138
under House Bill No. 221 . . . . .	See appendix
Rollinsford, improvement of road . . . . .	110, 823, 876, 896, 1066, 1102, 1147
Rooms, assignment of, committee to make . . . . .	28, 57, 68
Roukey, representative Elmer D. of Manchester, death of mother announced . . . . .	234
Committee on resolutions . . . . .	234, 247
Rules, joint, committee on . . . . .	28
amendment of section 13 . . . . .	71
Rumney, improvement of road to Stinson lake . . . . .	82, 407, 738
	751, 841, 846
Rural electrification, to promote . . . . .	904, 991, 1009, 1185, 1202
land, zoning . . . . .	829, 1234
Rye harbor, improvement of . . . . .	904, 1080, 1103, 1156, 1173

## S

Safety glass on automobiles . . . . .	255, 271, 568, 569, 637, 650, 711, 753
Salaries of commissioners of Rockingham county . . . . .	676, 746, 753
wages and fees paid by the state of New Hampshire . . . . .	991, 1063
	1068, 1155
Salary increase, temporary, of commissioners of Strafford county . . . . .	1087
	1148
of Grafton county treasurer . . . . .	301, 993, 1009, 1108
justice of municipal court of Franklin . . . . .	661, 708, 713
	809, 842, 846
treasurer of Rockingham county . . . . .	676, 726, 729, 962, 973
Salem improvement of road from Hall's crossing to Pelham town line and from Hall's crossing to Methuen line . . . . .	82, 718, 766, 839, 843
	1005, 1133, 1161, 1182, 1202, 1220, 1236
Committee of Conference asked for by House . . . . .	1006
appointed by House . . . . .	1006
report of . . . . .	1133

legalizing November election . . . . .	56, 91, 96, 138, 140
race track, report of Committee of Investigation	minority . . 975
	majority . . 1106
Sale of certain property of the state, authorizing . . . . .	302, 372, 376
	487, 554, 573
Salmon Falls road in Rochester, improvement of . . . . .	893, 898
Saltonstall, Hon. Leverett, Speaker of Massachusetts House of	
Representatives addressed House . . . . .	658
Salt water smelt, non-resident fishing licenses for taking . . . . .	1039, 1235
	taking . . . . . 434, 537
Sanatoria, licenses for . . . . .	107, 336, 587
Sandwich, improving and completing Little Pond road to the	
Whittier trunk line road . . . . .	67, 548, 735, 751, 1217, 1218, 1236
Savings banks, deposit of cash by . . . . .	412, 564, 572, 648, 674
	permitted to establish life insurance departments 98, 617
	689
Sawyer, Roy G. of Thornton in favor of . . . . .	84, 250, 742
	752, 1091, 1184, 1201
Committee of Conference asked for by House . . . . .	1092
	appointed by House . . . . . 1092
	Senate . . . . . 1135
	report of . . . . . 1148
School board members in supervisory unions, defining rights. . . . .	74, 132
	281, 364, 368, 487, 495
district, Penacook union . . . . .	456, 568, 791, 797, 833, 847
districts, military drill in . . . . .	101, 126, 205, 211, 667, 714
	of Hampstead, relating to . . . . . 660, 724, 884
	purchase of supplies for . . . . . 809, 878
	relating to military drill . . . . . 101, 126, 205, 211, 667, 714
laws, to amend . . . . .	74, 310
superintendents (decreasing number) . . . . .	809, 888
teachers, relating to . . . . .	109, 409
Schools in Manchester, military drill . . . . .	667, 714
	public in Nashua . . . . . 206, 1234
Seabrook, address for removal of David C. Chase judge of municipal	
court . . . . .	1123, 1157, 1168
	roll call on substitution . . . . . 1152
Seal, state, prohibiting use . . . . .	162, 300
Seats, drawing of . . . . .	28, 49
Secretary of State elected . . . . .	24
Securities, service of process on dealers in . . . . .	117, 309, 315, 374, 377
Selectmen, duties of in warning town meeting . . . . .	100, 320
Senate messages. See messages from the Senate.	
Sergeant-at-Arms elected . . . . .	22
Settlement of paupers . . . . .	67, 409, 596, 1007



- Sewage and other wastes, prohibiting discharge into Lakes Winnisquam and Opechee and providing for construction of sewerage treatment plants. . . . . 115, 455, 1147  
 discharge of . . . . . 74, 122, 127, 222, 244, 259
- Sewer system of Claremont. . . . . 220, 237, 254, 260
- Sheep road in Concord and Pembroke, improvement of . . . . . 82, 1082
- Sheriffs and deputies, fees of . . . . . 98, 536
- Shively, William, in favor of . . . . . 128, 394, 440, 456, 500, 540  
 581, 587, 636, 650, 657, 693, 715
- Silver lake in Madison, change name to Lake Madison. . . . . 413, 536
- Sloan, Arthur Donald, in favor of . . . . . 109
- Small claims, litigation of . . . . . 103, 363  
 loans, regulation of . . . . . 118, 486
- Smelt fishing, close Mill brook in Holderness . . . . . 168, 237
- Smith, Mrs. Marion, daughter of representative Firmin of Fitzwilliam, death announced . . . . . 567  
 Committee on resolutions. . . . . 567, 582
- Soldiers adjusted compensation, resolution regarding . . . . . 420, 455
- Somersworth and Rochester, to build first class state road on Salmon Falls road . . . . . 67, 604, 735, 751, 840, 893, 898  
 authorized to issue refunding notes or bonds . . . . . 360, 397  
 403, 439, 495, 499
- South branch stream of Gale river and Zealand pond in Bethlehem closed to any fishing . . . . . 206, 1233
- Hampton, improvement and completion of Chase road. . . . . 104, 616  
 road in Brentwood, improvement of . . . . . 111, 411
- Speaker authorized to appoint a reading clerk . . . . . 72  
 two members to attend the American Legislators association. . . . . 209
- directed to obtain opinion of Supreme Court on constitutionality of House Bill No. 405 . . . . . 896  
 opinion rendered . . . . . 985
- elected . . . . . 16
- temporary . . . . . 50, 68, 70, 72, 96, 98  
 137, 156, 181, 182, 204, 216, 224, 240, 257, 293, 297  
 307, 352, 353, 377, 399, 412, 424, 438, 457, 493, 494  
 545, 561, 562, 571, 572, 585, 598, 635, 636, 651, 657  
 691, 692, 704, 713, 730, 731, 799, 844, 845, 915, 972  
 1007, 1035, 1042, 1118, 1119, 1164, 1220, 1222, 1225
- Spoonwood pond and Nubanusit lake, ice fishing . . . . . 108, 177, 308, 312
- Springfield, improvement of highway . . . . . 162, 300  
 New London road . . . . . 83, 408, 741  
 752, 841, 846
- Mass. in favor of Eudora M. Munder . . . . . 105, 318, 600  
 620, 832, 847

State advertising, appropriation for . . . . .	114, 216, 223, 340, 365, 378
and national recovery, to encourage. . . . .	80, 565
provincial records, providing for publication, collection and distribution . . . . .	77, 129, 135, 202
athletic commission abolishing and appointing a state com- missioner . . . . .	93, 409
board of accountancy, to create . . . . .	241, 486
health . . . . .	945, 1036
welfare and relief . . . . .	172, 264, 287, 327, 351, 352
Committee of Conference asked for by House . .	333
appointed by House . .	333
Senate . .	333
report of . . . . .	343
building, relating to. . . . .	1041, 1084, 1103, 1183, 1190, 1221
buildings and highways, contracts for . . . . .	108, 251, 574, 622, 635
770, 774, 810, 911, 970, 1027, 1043	
Committee of Conference asked for by House .	911
appointed by House .	911
report of . . . . .	970
construction and repair . . . . .	107, 166
conservation commission, providing for establishment of .	808, 881
county and municipal contracts, 770, 774, 810, 911, 970, 1027, 1043	
Committee of Conference asked for by House .	911
appointed by House .	911
Senate .	1038
report of . . . . .	970
emergency, borrowing for. . . . .	145, 165, 173, 248, 254
employment, relating to . . . . .	98, 576
service . . . . .	241, 415, 434, 575, 577
1076, 1103, 1183, 1189, 1221	
forest reservation and park, acceptance of gift of land from New Hampshire-Vermont Lumber Co. to state . . .	730, 805, 815
835, 872, 898	
highway department, to reorganize . . . . .	285, 614
garage, establishing passenger automobile division 1163, 1164, 1167	
hospital, commitment to . . . . .	415, 535, 544, 666, 674
improvements . . . . .	82, 483, 1234
provide for additional facilities . . . . .	81, 483, 1234
House department, in favor of . . . . .	829, 876, 896, 973, 995
laboratory of hygiene, reimbursement to . . . . .	74, 334, 534
544, 666, 674	
library, remodelling . . . . .	496, 1235
liquor stores, number to be operated by state liquor commis- sion . . . . .	101, 410

- officials, reimbursement for liability insurance . . . . . 101, 1234
- planning and development commission, in favor of . . . . . 419, 462
  - 493, 579, 599
  - relating to . . . . . 94, 162, 165
    - 204, 211, 228, 236
- police force, constituting . . . . . 103, 945, 1008, 1009, 1033, 1047, 1128
  - roll call on substitution . . . . . 1047
- prison hospital . . . . . 593, 888, 1234
- sanatorium, in favor of . . . . . 75, 1234, 1235
- seal, prohibiting use . . . . . 162, 300
- tax, annual for term of two years assessment and collection
  - 1170, 1217, 1224
- treasurer elected . . . . . 24
- treasurer's department, comptroller's department and legis-
  - lative expense, in favor of . . . . . 922, 1012, 1033, 1108, 1147
- treasury, rehabilitate in loss suffered by state . . . . . 1063, 1104, 1116
  - 1124, 1217, 1221
  - roll call on passage . . . . . 1116
- veterans service officer, establishing office . . . . . 497, 601, 688
  - 691, 973, 995
- work, employment of residents of New Hampshire . . . . . 95, 443
- Stallard, Rev. Henry C. of Berlin, in favor of . . . . . 82, 83, 408
- Standard time, to strengthen law . . . . . 98, 354, 386, 389, 554
- Steam boilers . . . . . 588, 658
- Stewartstown, improvement of road . . . . . 242, 408, 762, 774, 1183, 1202
  - relating to special town meeting . . . . . 687, 746, 753
- Stoddard and Washington, Long pond open to ice fishing . . . . . 101, 1233
- Strafford county register of deeds . . . . . 659, 709, 712, 809, 816
  - temporary salary increase for commissioners 1087, 1148
  - in favor of Paul Dumont . . . . . 104, 395, 756, 772, 1088, 1104
- Stream flow gauging stations, provide for cooperation with U. S.
  - Geological survey in establishment and maintenance . . . . . 416, 704
    - 713, 973, 995
- Sullivan county, deer season . . . . . 101, 765
- Sunapee to Newbury, completion of road . . . . . 94, 480, 742, 752, 891, 918, 933
- Sunset lake in Greenfield closed to ice fishing . . . . . 84, 764
- Superintendents of schools (decreasing number) . . . . . 809, 888
- Superior Court (one additional judge) . . . . . 660, 707, 1235
  - powers . . . . . 660, 706, 712, 1067, 1147
  - relating to . . . . . 72, 121, 122, 146, 164, 173, 225, 233
    - 341, 366, 391, 397, 403, 431, 487, 559, 570
  - Committee of Conference asked for by House
    - 342, 397

	appointed by House	342, 403
	Senate	351
	report of . . . . .	397, 559
	terms of . . . . .	240, 461, 493, 666
Supervisors of the check list and check list, choice and qualifications		
of . . . . .		99, 395
Supervisory unions . . . . .		117, 220
Supplies, purchase of by school districts . . . . .		809, 878
Suspended sentences, relating to . . . . .		98, 282, 296, 400, 454, 495

## T

Tamworth, improvement of road . . . . .	110, 608, 615, 759, 773, 913, 916
Tarleton lake in Piermont closed to ice fishing . . . . .	314, 1235
Taxation by the Federal government of net income from the sale	
of liquor by the state . . . . .	134, 138, 140
exempt from Warner Home association of Portsmouth . . . . .	110
	160
exemption of Woman's City club of Portsmouth . . . . .	81, 205
of polls . . . . .	808, 879, 922
roll call on substitution . . . . .	922
property owned by blind, exemption from . . . . .	413, 623
	635, 710, 714
Tax collectors employed at a fixed salary, eliminating double pay-	
ment of . . . . .	66, 547
in relation to . . . . .	56, 77, 94, 121, 388, 399, 415
	457, 493, 547, 568, 579, 619, 684
Committee of Conference asked for by House . . . . .	399
appointed by House . . . . .	399
report of . . . . .	684
town, duties of . . . . .	93, 699, 703, 809, 816
excise on margarine made from imported oils and fats . . . . .	286, 371, 387
	399, 440, 456, 579, 714
veto of Governor . . . . .	731
roll call on veto . . . . .	748
on legacies and successions, increasing . . . . .	807, 1036, 1041
	1054, 1183, 1221
poll for women, to abolish . . . . .	93, 1234
sales by collectors of taxes . . . . .	92, 300
state, annual for term of two years, assessment and collection . . . . .	1170
	1217, 1224
upon sale of electricity, imposing . . . . .	1037, 1084
Taxes, assessment and collection of . . . . .	792, 847, 874, 1233
collection of from persons furnished work by towns, cities or	
state . . . . .	102, 321

- interest which may be charged for late payment . . . . . 66, 768  
 public, new apportionment for assessment . 58, 130, 135, 202, 204  
 redemption of land sold for . . . . . 591, 769  
 Teachers, relating to . . . . . 416, 658, 908, 911, 1234  
     retirement system, establishing . . . . . 111, 1234  
 Telegraph and other companies in highways, lines of . . . . 110, 397, 824  
     837, 912, 916  
 Tellers appointed . . . . . 51  
 Temporary presiding officer . . . . . 16  
     Speaker. See Speaker, temporary  
 Textile industry, cotton, benefit of . . . . . 569, 573  
 Thornton, in favor of Roy G. Sawyer . 84, 250, 742, 752, 1091, 1184, 1201  
     Committee of Conference asked for by House . . . . . 1092  
         appointed by House . . . . . 1092  
         Senate . . . . . 1092  
         report of . . . . . 1148  
 Tilton, Arthur A. elected doorkeeper . . . . . 22  
     Belmont road in Belmont, improvement of . . . . . 75, 615  
 Toilet facilities in restaurants . . . . . 119, 300, 372, 376, 997, 1221  
     Committee of Conference asked for by House . . . . . 998  
         appointed by House . . . . . 998  
         Senate . . . . . 1038  
         report of . . . . . 1167  
 Toll road, operation of as a public utility . . . . . 1028, 1070  
 Tonery, James F. resolutions on illness . . . . . 1216  
 Toussaint, Mrs. Winnifred, National President of the Woman's  
     Auxiliary V. F. W. addressed House . . . . . 788  
 Town elections . . . . . 220, 284  
     lines, perambulation of . . . . . 184, 363, 368, 495, 499  
     meeting, duties of selectmen in warning . . . . . 100, 320  
     meetings in Claremont . . . . . 240, 284, 296, 488, 533  
     officers, incompatibility of . . . . . 99, 321  
     trustees of trust funds . . . . . 286, 586, 597  
 Townsend plan, resolution opposing . . . . . 222, 420, 436, 1235  
 Towns, liability of . . . . . 710, 711, 769, 772, 886, 897, 996, 1028, 1071  
 Traffic, control of by signals or other devices, regulations of high-  
     ways . . . . . 828, 886, 896, 1066, 1070  
 Trailers, relating to . . . . . 302, 826, 837  
 Transportation of members of the legislature . 110, 393, 686, 693, 694, 703  
     712, 1169, 1188, 1197, 1202  
     roll call on order for third reading . . 694  
     Committee of Conference asked for by House . . 1170  
         appointed by House . . 1170  
         Senate . . 1188  
         report of . . . . . 1175, 1198  
     the General Court . . . . . 116, 392



Traps and snares . . . . .	95, 1233
Travelling expenses of the Governor, provide additional allowance	418, 463, 493, 579, 594, 599
Trenoweth, Herbert C. of Manchester, in favor of . . . . .	115, 441, 624
Treasurer of Grafton county, salary of . . . . .	301, 993, 1009, 1108
Rockingham county, salary of . . . . .	676, 726, 729, 962, 973
Trespasses and malicious injuries . . . . .	80, 152, 155, 305, 327, 334
Trout, taking of in Martin Meadow pond in Lancaster . . . . .	314, 790
	797, 1067
Troy and Richmond, town lines of . . . . .	243, 260, 271
Trucks used for agricultural purposes, registration of . . . . .	227, 317, 331
	533, 568, 573
Trust companies and national banks, fiduciary powers of . . . . .	241, 427
	436, 746, 816
funds, compensation of trustees of . . . . .	77, 395
town trustees of . . . . .	286, 586, 597
Trustee process, exemption from . . . . .	116, 396
Trustees of trust funds, compensation of . . . . .	77, 395
Tuftonboro, Canaan and Boggs brooks closed to ice fishing. . . . .	118, 817
Twombly, Lenne C. elected doorkeeper . . . . .	22

## U

Unemployment, assist in reducing by facilitating the condemnation	
of land necessary for public works projects . . . . .	412, 576
compensation, defining the word employer . . . . .	1200
	1201, 1224
establishment and administration . . . . .	589
	658, 673, 848, 898, 912, 933
Committee of Conference asked for by House . . . . .	869
appointed by House . . . . .	869
report of . . . . .	898
in state, emergency relief of by highway work . . . . .	94
	112, 617
United States veterans administration facility of Manchester, re-	
lating to . . . . .	76, 95, 120
Unity, completion of road . . . . .	110, 408, 759, 773, 912, 916
Universalist, New Hampshire state convention . . . . .	591, 710, 714
Unorganized places, personal property in . . . . .	100, 298, 306, 374, 390, 487
Upper Coos railroad, to dissolve . . . . .	84, 147, 151, 254, 280

## V

Veterans, public employment of . . . . .	253, 828, 837, 920
	1064, 1115, 1186, 1221
Committee of Conference asked for by House . . . . .	921
appointed by House . . . . .	921
Senate . . . . .	1038

	report of . . . . .	1064
	service officers, establishing office . . . . .	497, 601, 688, 691, 973, 995
	war, assistance in obtaining rights and privileges . . . . .	304, 1036
Veto of Governor on House Bill No. 346 . . . . .		731
	roll call on veto . . . . .	748
	No. 355 . . . . .	787
	roll call on veto . . . . .	797
Vote of appreciation extended Frederic E. Everett State Highway Commissioner . . . . .		132
Voters, rights and qualifications of . . . . .		98, 118, 300, 362
	of . . . . .	119, 322

## W

Wages, payment of . . . . .		117, 251, 256, 919, 933
	relating to . . . . .	146, 218, 223, 402, 1234
	Committee of conference asked for by House . . . . .	402
	appointed by House . . . . .	402
	salaries and fees paid by the state of New Hampshire . . . . .	991
		1063, 1068, 1155
	weekly payment of . . . . .	100, 226, 233, 305, 540, 714
Walpole, improvement of road . . . . .		115, 609, 760, 773, 913, 916
Wakefield, construction and permanent improvement of Province lake road . . . . .		94, 640, 743, 752, 871, 891
War veterans, assistance in obtaining rights and privileges . . . . .		304, 1036
Warner House association of Portsmouth exempt from taxation property owned by . . . . .		110, 160
Warren, improvement of Breezy Point road . . . . .		106, 616
Washington and Stoddard, Long pond open to ice fishing . . . . .		101, 1233
	improvement of road . . . . .	104, 445, 743, 752, 875, 891
	proceedings of school district legalized . . . . .	452, 554, 573
Water commissioners for Peterborough . . . . .		81, 217, 223, 308, 312
	Wolfeboro . . . . .	228, 255, 316
	rates, liens for . . . . .	75, 131
	resources of New Hampshire, to establish board of . . . . .	874, 948
		971, 1108, 1147
Village road in Ossipee, improvement of . . . . .		114, 450, 760
		773, 913, 916
works, amending act enabling Manchester to establish . . . . .		1133
		1183, 1202
	in Peterborough, management of . . . . .	452, 535, 544, 593, 599
	municipal . . . . .	286, 428, 436, 554, 573
Weare, improvement and completion of East Weare road . . . . .		105, 605
		757, 773, 876, 892
	road in Dunbarton, improvement of . . . . .	82, 478, 739
		751, 841, 893, 898

- Webster authorized to issue refunding notes or bonds. . . . . 497, 574  
585, 666, 714
- Week end adjournment. See adjournment, week end
- Weekly payment of wages. . . . . 100, 226, 233, 305, 540, 714
- Weighing and measuring devices, registration of. . . . . 725, 806, 815, 995
- Weights and measures, administration of the laws. . . . . 807, 881  
disposal of fines imposed under laws. . . . . 55, 767
- Welfare and relief, state board of. . . . . 172, 264, 287, 327, 351, 352  
Committee of Conference asked for by House. . . . . 333  
appointed by House. . . . . 333  
Senate. . . . . 333  
report of. . . . . 343
- Wellington road in Manchester, improvement of section. . . . . 84, 551
- Westmoreland, completion of road. . . . . 592, 644, 762, 774, 1183, 1218, 1236  
to Hinsdale establishing trunk line. . . . . 119, 616
- Whippie, Frank H. in favor of. . . . . 114, 565, 839
- Whitcomb, Ernest E. in favor of. . . . . 418, 587, 638  
Wm. F. of Claremont, death announced. . . . . 567  
committee on resolutions. . . . . 567, 581
- White, John E. representative from Keene, death announced. . . . . 339  
committee on resolutions. . . . . 339, 369  
Lillian M. in favor of. . . . . 419, 668, 715
- Whitefield to Dalton, completion of road. . . . . 76, 549, 736, 751, 841, 846
- Whitney, Harry L. in favor of. . . . . 76, 318, 754, 772, 1091, 1184, 1201  
Committee of Conference asked for by House. . . . . 1091  
appointed by House. . . . . 1091  
Senate. . . . . 1135  
report of. . . . . 1148
- Wilmot, improvement of Kearsarge mountain road. . . . . 106, 606, 758  
773, 876, 892
- Wilton, improvement of road. . . . . 105, 605, 757, 773, 876, 892
- Windham, improvement of road. . . . . 104, 641, 743, 752, 875, 891
- Winnepesaukee lake, annexing certain islands to town of Moulton-  
borough. . . . . 116, 141, 1148
- Wolfeboro board of water commissioners. . . . . 228, 255, 316
- Women and minors, minimum wage for. . . . . 569, 889, 1050
- Woman's City club of Portsmouth, exemption from taxation. . . . . 81, 205
- Woodchucks, bounty on. . . . . 102, 132
- Woodsville fire district. . . . . 969, 1062, 1068, 1147
- Workmen's compensation. . . . . 100, 103, 827, 870, 942, 971, 1192, 1234  
Committee of Conference asked for by House. . . . . 1196  
appointed by House. . . . . 1196  
amendment to. . . . . 107, 1105, 1116, 1189
- Work relief, relating to. . . . . 566, 621, 877, 896, 916

- World Court, resolution requesting Senators Brown and Keyes to  
vote against adherence.....142, 150  
telegram received from legislature of Washington... 134

## Y

- Yeaton, Harry S. elected doorkeeper..... 22  
Young, Harrie M. elected clerk..... 17  
Y. M. C. A. of Nashua, amending charter.....710, 711, 795, 833, 847

## Z

- Zealand pond and South branch stream of Gale river in Bethlehem  
closed to any fishing.....206, 1233  
Zoning in rural land.....829, 1234







JOURNAL  
OF THE  
HONORABLE SENATE  
SPECIAL SESSION OF 1934



PROCLAMATION  
of  
HIS EXCELLENCY, GOVERNOR JOHN G. WINANT  
Calling a Special Session of the Legislature  
THE STATE OF NEW HAMPSHIRE

Executive Department

A Proclamation by the Governor

WHEREAS the welfare of the state requires the assembling of the Legislature,

I, John G. Winant, Governor, with the advice and consent of the Council, hereby summon the General Court to assemble at the State House, Monday, the 14th day of May, 1934, at eleven o'clock, a. m., Eastern Standard Time.

JOHN G. WINANT

*Governor.*

By His Excellency, the Governor, with the advice and consent of the Council.

ENOCH D. FULLER,

*Secretary of State.*





# JOURNAL

*of the*

## HONORABLE SENATE

SPECIAL SESSION, MAY, 1934

---

MONDAY, MAY 14, 1934.

In pursuance of the foregoing proclamation, the Honorable Senate assembled in the Capitol in the city of Concord in said State on Monday, the fourteenth day of May, 1934 at eleven o'clock in the forenoon.

The Clerk proceeded to call the roll.

### PRESENT

Dist. No. 1, Hon. Emmet J. Kelley; Dist. No. 2, Hon. George W. Dickson; Dist. No. 4, Hon. Arthur P. Gale; Dist. No. 5, Hon. Ross P. Sanborn; Dist. No. 6, Hon. J. Grant Quimby; Dist. No. 7, Hon. Anson C. Alexander; Dist. No. 8, Hon. William F. Whitcomb; Dist. No. 9, Hon. Irving T. Chesley; Dist. No. 10, Hon. Clarence W. Houghton; Dist. No. 11, Hon. George D. Cummings (President); Dist. No. 12, Hon. Philip C. Heald; Dist. No. 13, Hon. Honore E. Bouthillier; Dist. No. 14, Hon. Charles M. Steele; Dist. No. 15, Hon. Ralph H. George; Dist. No. 16, Hon. John Jacobson, Jr.; Dist. No. 17, Hon. Denis A. Murphy; Dist. No. 18, Hon. John A. Foley; Dist. No. 19, Hon. Aime Martel; Dist. No. 20, Hon. Haven Doe; Dist. No. 21, Hon. Austin L. Calef; Dist. No. 22, Hon. William M. Cole; Dist. No. 23, Hon. James W. Bixler; Dist. No. 24, Hon. Charles M. Dale.

The Senate was called to order by the President.

## LEAVE OF ABSENCE

Senator McLean was granted leave of absence for the week on account of absence from the State.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency the Governor the Senate has assembled and is now ready to proceed with the business of the Special Session.

On motion of Senator George, the following resolution was adopted.

*Resolved*, That the rules of the Senate for the last session be the rules of the Senate for the present Special Session until otherwise ordered by the Senate.

On motion of Senator Cole, the following resolution was adopted.

*Resolved*, That to preserve a record of attendance, the Clerk be instructed to call the roll of the Senate each morning just prior to the adjournment of the morning session and that any Senators who do not answer to their names at that time be considered absent for the day unless they announce their presence at some time during the day's session.

(Recess)

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.

## HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following resolutions.

*Resolved*, That the Honorable Senate be notified that the House of Representatives has assembled in accordance with the proclamation of His Excellency the Governor and is now ready to proceed with the business of the session.

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 12 o'clock noon for the purpose of receiv-

ing His Excellency, the Governor and any communication he may be pleased to make, and for the transaction of such other business as may properly come before the Convention.

The message further stated that the House of Representatives had passed the following concurrent resolution, in the passage of which it asks the concurrence of the Honorable Senate:

*Resolved*, By the House of Representatives, the Senate concurring, that the joint rules of the last regular session of the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered except that no bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business, shall be received in either branches of the Legislature unless reported by the Committee on Rules; provided that this rule may be suspended in either House whenever two thirds of the whole number of members shall, on division, take vote in favor thereof, and not otherwise.

On a *viva voce* vote the Senate voted to concur with the House of Representatives in the adoption of the foregoing concurrent resolution.

On motion of Senator Dale, the following resolution was adopted.

*Resolved*, That the House of Representatives be notified that the Senate will be ready to meet the House in joint convention at 12:00 o'clock for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

Pursuant to the foregoing resolution, the Senate met the House of Representatives in Joint Convention.

(In joint convention. See House Proceedings)

The Senate reassembled.

The Clerk proceeded to call the roll.

The following named Senators were present: Senators Kelley, Dixon, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele,

George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

On motion of Senator George, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following concurrent resolution in the passage of which it asked the concurrence of the Honorable Senate:

*Resolved*, That the Committee on the Judiciary and the Committee on Liquor Laws be empowered to act jointly on all bills pertaining to liquor legislation and, the Senate concurring, that all hearings on these bills be held jointly with the Senate Committee on the Judiciary and the Senate Committee on Liquor Laws.

On motion of Senator Dale, the Senate voted to concur with the House of Representatives in the adoption of the foregoing concurrent resolution.

On motion of Senator Heald, the following resolution was adopted.

*Resolved*, That the Clerk be instructed to have printed in the appendix of the daily journal notices of the meeting of such committees of the House as have invited Senate committees to meet jointly with them.

On motion of Senator Kelley, the following resolution was adopted.

*Resolved*, That until otherwise ordered the Senate will meet at 10:00 o'clock Eastern Standard Time in the forenoon and at 2:00 o'clock Eastern Standard Time in the afternoon.

On motion of Senator Whitcomb the Senate adjourned.

## TUESDAY, MAY 15, 1934.

The Senate met according to adjournment.

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present.

Senators Kelley, Dickson, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

On motion of Senator Doe, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Jacobson, the Senate adjourned.

---

WEDNESDAY, MAY 16, 1934.

The Senate met according to adjournment.

## LEAVES OF ABSENCE

Senators Heald and Bixler were granted leaves of absence for the day on account of important business.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present.

Senators Kelley, Dickson, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole and Dale.

On motion of Senator Cole, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock, be made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.



THURSDAY, MAY 17, 1934.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Cole was granted leave of absence for the day on account of important business.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, Gale, Sanborn, Quimby, Alexander, Whitecomb, Chesley, Houghton, Cummings, Heald, Bouthillier, George, Jacobson, Murphy, Foley, Doe, Calef, Bixler and Dale.

On motion of Senator George, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Doe, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon it be to meet to-morrow morning at ten o'clock Eastern Standard Time, and when it adjourns Friday morning, it be to meet Monday morning at 11 o'clock Eastern Standard Time.

On motion of Senator Dickson, the Senate adjourned.

FRIDAY, MAY 18, 1934.

The Senate met according to adjournment. Senator George having assumed the chair, read the following communication.

Concord, N. H., May 18, 1934.

SENATOR GEORGE:

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

GEORGE D. CUMMINGS.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present: Senators Alexander, Bouthillier, Murphy and George.

On motion of Senator Murphy, the Senate adjourned.

---

MONDAY, MAY 21, 1934.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senators McLean, Steele and Cole were granted leave of absence for the day on account of important business.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Bixler and Dale.

On motion of Senator Gale, the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of Senator Doe, the Senate adjourned.

---

TUESDAY, MAY 22, 1934.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator Cole was granted leave of absence for the day on account of important business.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Bixler, and Dale.

On motion of Senator Gale, the Senate adjourned.

## AFTERNOON

On motion of Senator Chesley the Senate adjourned.

---

WEDNESDAY, MAY 23, 1934.

The Senate met according to adjournment.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler, and Dale.

On motion of Senator Quimby the Senate adjourned.

## AFTERNOON

On motion of Senator Doe the Senate adjourned.

---

THURSDAY, MAY 24, 1934.

The Senate met according to adjournment.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler, and Dale.

### RECESS

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.

### HOUSE MESSAGE

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 489 (in new draft), An act to regulate the traffic in intoxicating liquor.

### READ AND REFERRED

The following bill sent up from the House of Representatives was read a first and second time and referred:

House Bill No. 489 (in new draft), An act to regulate the traffic in intoxicating liquor.

Senator Doe moved that the rules be suspended, that public hearings be dispensed with, and the bill be referred to a joint committee of the Judiciary and Liquor Laws.

On a *viva voce* vote the motion was carried.

On motion of Senator Doe the following resolution was adopted:

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

### AFTERNOON

On motion of Senator Quimby, the following resolution was adopted:

*Resolved*, That when the Senate adjourns to-day it be to

meet to-morrow morning at ten o'clock, Eastern Standard Time, and when it adjourns Friday morning, it be to meet Monday morning at 11 o'clock Eastern Standard Time.

On motion of Senator Alexander, the Senate adjourned.

---

FRIDAY, MAY 25, 1934.

The Senate met according to adjournment. Senator Alexander having assumed the chair, read the following communication.

Concord, N. H., May 25, 1934.

SENATOR ALEXANDER:

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

GEORGE D. CUMMINGS.

ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance:

The following named Senators were present: Senators Kelley, Cole, Quimby, Alexander, Whitcomb, Chesley, Cummings, Bouthillier, George, Jacobson, Murphy, Foley, Martel, Doe, Bixler, and Dale.

On motion of Senator Whitcomb, the Senate adjourned.

---

MONDAY, MAY 28, 1934.

The Senate met according to adjournment.

ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present:

Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

On motion of Senator Dale, the Senate was in recess until 1:58 o'clock.



## RECESS

The Senate reassembled.

On motion of Senator Dale, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock be made in order at the present time.

On motion of the same Senator, the Senate adjourned.

---

TUESDAY, MAY 29, 1934.

The Senate met according to adjournment.

## LEAVE OF ABSENCE

Senator George was granted leave of absence for the day on account of illness.

## ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

On motion of Senator Dale, the following resolution was adopted.

*Resolved*, That the Clerk be instructed to have printed fifteen hundred copies of House Bill No. 489, An act to regulate the traffic in intoxicating liquor, in new draft as amended by the Senate Committee.

On motion of the same Senator the following resolution was adopted.

*Resolved*, That when the Senate adjourns to-day it be to meet Thursday morning at ten o'clock.

(Recess)

The Senate reassembled.

On motion of Senator Doe, the following resolution was adopted.

*Resolved*, That the rules be suspended and all business in order for this afternoon at two o'clock, be made in order at the present time.

On motion of Senator Kelley, the Senate adjourned.

---

THURSDAY, MAY 31, 1934.

The Senate met according to adjournment.

#### ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

On motion of Senator Dale, the rules were so far suspended as to permit the introduction of a committee report not previously advertised in the journal.

#### COMMITTEE REPORT

Senator Dale, for the Committees on Liquor Laws and the Judiciary to whom was referred House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor, having considered the same, reported the same with the following amendments and recommended that the bill with amendments ought to pass.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

*Definitions.* Terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

I. "Liquor," all distilled and rectified spirits, alcohol, wines, fermented and malt liquors and cider, of over six per cent alcoholic content by volume at sixty degrees Fahrenheit.

II. "Beverage," any beer, lager beer, ale, porter, wine,

similar fermented malt or vinous liquors and fruit juices containing one per cent or more of alcohol by volume and not more than six per cent of alcohol by volume at sixty degrees Fahrenheit.

III. "Person," individual, firm, association, co-partnership, corporation, and society.

IV. "Commission," State Liquor Commission.

V. "Club," a group of individuals incorporated or otherwise, approved by the Commission, which has been in continuous existence for at least three consecutive years prior to the date of its application for license and which is the owner, lessee or occupant of an establishment not operated for pecuniary gain and the property as well as the advantages of which belong bona fide to all the members. "Club" as herein used also means the establishment so operated.

2. *The Commission.* Within ten days from the passage of this act, the Governor and Council shall appoint a State Liquor Commission consisting of four commissioners, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two, three, and four years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of four years from the first day in July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be forty-five hundred dollars (\$4,500.00), and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided however that the members of said Commission shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the

warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beverage business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and shall make a detailed annual report to the Governor and Council at the end of each fiscal year. Any or all of the members of said Commission may be removed by the Governor and Council for cause.

3. *Hearings on Applications; Appeals.* The chairman may assign any member of the Commission to hear the evidence pertaining to any application for license to manufacture or sell under the terms of this act, any proceeding for a violation of this act, or any other proceeding requiring a decision of the Commission under the terms of this act, and to make a decision thereon. The commissioner making such decision shall, on the day of filing the same, cause notice thereof to be given by registered mail to all parties in interest and of record. Such decision shall be final, subject, however, to the right of any party in interest and of record to appeal therefrom to the Commission at any time within ten days from the date of the filing of such decision. On such appeal the commissioner from whose decision appeal has been taken shall not sit. The record of such appeal shall comprise the stenographic report of the evidence, the decision and all exhibits. No further evidence shall be offered on appeal except by unanimous consent of the members of the Commission hearing the appeal.

4. *Appointment of Referee.* In the event that the Commission shall be unable to make decision on any question by reason of a tie vote the Commission may apply to a Justice of the Superior Court for the appointment of a referee who shall serve as a member of said Commission for the determination of that question only. The referee shall receive such fees and expenses as shall be approved by the Justice making the

appointment. Such fees and expenses shall be paid as an expense of the Commission.

5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and all funds and property of the State in the custody of the control commission shall automatically be transferred to the Commission.

6. *Offices; Seal.* Said Commission shall be provided with suitable offices in the City of Concord. The Commission shall adopt a proper seal.

7. *Assistants.* Said Commission is hereby authorized and empowered to employ such assistants as are, in its opinion, necessary for the proper transaction of the business of their office and to fix their compensation, also to secure any necessary technical or professional assistance. Said Commission shall cause such precautions to be taken as it may deem necessary to insure the purity and freedom from misbranding of all liquors sold.

8. *Special Agents.* Said Commission may appoint and at pleasure dismiss one or more special agents and fix their compensation. It shall be the duty of said special agents, under the direction of the Commission, to investigate any or all matters arising under this act or Chapter 99 of the Laws of 1933. Any member of the Commission, assistant or special agent may enter any place where liquor or beverages are sold or manufactured, at any time, and may examine any license or permit issued or purporting to have been issued under the terms of this act or under the provisions of said Chapter 99. They shall make complaints for violations of this act or said Chapter 99.

9. *State Stores.* Said Commission is hereby authorized to lease and equip in the name of the State, such stores, warehouses and other merchandising facilities for the sale of liquor as are necessary to carry out the provisions of this act. Any lease or contract made pursuant hereto shall be approved by the Attorney General before becoming effective. No such



store shall be operated within 300 feet of any public or private school, church, chapel, or parish house.

10. *Operation of State Stores; Sales Agents.* Said Commission may in its discretion operate State stores for the sale of liquor in such cities and towns as shall have accepted the provisions of this act as hereinafter provided and may appoint and at pleasure dismiss sales agents to sell liquor in said stores. Any sales agent appointed for any store shall have been a resident of the city or town where said store is located for at least six months prior to said appointment. The Commission shall fix the salary of each such sales agent, but shall not in so doing be governed by the amount of sales. Each such agent shall furnish a bond conditioned for the faithful performance of his duties, in such form and amount as the Commission shall direct.

No sales agent, authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions hereof.

11. *Salaries.* All salaries of assistants, special agents, and sales agents shall be approved by the Governor and Council.

12. *Rules and Regulations.* Said Commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions of this act, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days except by persons holding licenses under the provisions of Sections 19, 21, 22 and 23.

13. *Liquor Dispensed Only Through Commission.* No liquor shall be sold in any State store, nor by any sales agent, nor by any person holding a license hereunder, except liquor obtained from the Commission.

14. *Commission to Sell.* It shall be the duty of the Commission to buy and have in its possession liquor for sale in the manner provided herein. Such liquors shall be free from adulteration and misbranding within the meaning of the provisions of Chapter 139 of the Public Laws. All liquors sold for medicinal use shall conform to the standards and tests for

such liquors as laid down in the United States Pharmacopoeia, official at the time of sale.

All purchases of liquor shall be made by the Commission directly and not through the office of the State purchasing agent.

Said Commission shall be subject to all the provisions so far as applicable of Chapter 171, Laws of 1931.

15. *Insurance.* The Commission may, in its discretion, procure the necessary insurance to protect any property in its possession.

16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time.

17. *Special Sales Agents.* In cities or towns adopting the provisions of this act, and where there is no State store, the Commission shall have authority in exceptional cases to appoint a special sales agent for the State, to sell in such cities or towns, liquors in packages, in such place and under such regulations as the Commission may determine.

The salary of such special sales agent shall be governed by the provisions of Sections 10 and 11 herein.

18. *Licenses Required.* No person shall manufacture for sale or sell any liquor or beverage without first obtaining a license or permit therefor under the provisions of this act, or Chapter 99 of the Laws of 1933.

19. *Licenses for Hotels.* The Commission may issue licenses to first class hotels in any city or town. The determination of what is a first class hotel is to be within the discretion of the Commission, provided that no hotel shall be deemed to be a first class hotel under the provisions of this section which has not been under the then management and that of its predecessors in title for a period of three years immediately prior to the date of making application for license hereunder.

Said license shall entitle the licensee to sell liquor by the glass to bona fide guests with meals in the dining rooms or in the rooms of the guests, provided that in cities and towns voting not to accept the provisions of this act the licensee shall not sell such liquor to a resident of the city or town in which such hotel is located.

20. *Fees for Hotel Licenses.* The annual fee for each license as provided in the preceding section shall be fixed by the Commission but shall not be less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) per annum. The Commission may, however, issue part-time licenses to summer hotels and in such case the fee for such part-time license shall not be less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00) per annum.

Said fees shall be determined by the Commission upon the volume of business or probable volume of business of the licensee.

21. *Dining Cars.* The Commission may issue a license to any railroad or car corporation operating any cars in which food is served within this State, authorizing the holder thereof to sell in such cars, after leaving and before reaching the terminal stops thereof, liquor and beverages to be drunk in such cars. Such license shall be good throughout the State in both license and non-license territory, and only one such license shall be required for all cars operated in the State by the same owner. The fee for such license shall be fixed by the Commission and shall be not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) per annum. The provisions of Section 13 shall not apply to sales to nor to purchases or sales by such licensees; and the

provisions of Section 29 shall not apply to the transportation by such licensees for purpose of sale under the terms of their licenses.

22. *Clubs.* In towns and cities which have accepted the provisions of this act the Commission may issue licenses to clubs incorporated under the laws of the State of New Hampshire or which are affiliated with any national fraternal organization for the sale to members and bona fide guests, of liquor by the glass only. The club license fee shall be one hundred dollars (\$100.00) per annum.

23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription and shall forward to the Commission monthly a statement of the name and address of each purchaser, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be one dollar (\$1.00) per annum. Said licensee shall purchase from the Commission for use in compounding medicines such liquor as may be necessary.

24. *Manufacturers.* The manufacture of liquors in this State shall be permitted under such regulations as the Commission shall determine and under such terms as are not inconsistent with the provisions of the Constitution of the United States or the Statutes of the United States, but no liquor manufactured in this State by any manufacturer shall be sold or delivered in this State in any manner which is inconsistent with the provisions of this act. Each manufacturer of liquor in this State shall pay an annual license fee of two thousand dollars (\$2,000.00).

25. *Purchases of Sacramental Wines and Liquor for*



*Mechanical Purposes, etc.* Any duly authorized officer of a regularly organized religious body may order from any source for shipment to such religious body wines to be used for sacramental purposes only in the services of such religious body. Any person engaged within the state in a manufacturing or mechanical business or in scientific pursuits in the conduct of which the use of alcohol or alcoholic liquor is necessary may order from or through the Commission only for shipment to himself alcohol or alcoholic liquor to be used for such manufacturing or mechanical business or in such scientific pursuits only.

26. *Cider.* This Chapter shall not apply to sales of cider containing not more than 6 per cent of alcohol by volume at 60 degrees Fahrenheit.

Sale by manufacturers and farmers of cider containing more than 6 per cent of alcohol by volume at 60 degrees Fahrenheit may be made to the Commission under such regulations and with such fees as said Commission may prescribe and such cider may be shipped out of the State under such regulation and fees as the Commission may prescribe.

27. *Application for License.* Any person applying for a license under this act shall file with the Commission an application therefor in such form as the Commission may prescribe and such application shall contain such information as the Commission may require, and except in the case of an application for a dining-car license, shall contain a statement setting forth the name and address of the true and actual owner of the premises upon which the business to be licensed is to be conducted. Before a license is issued the Commission shall satisfy itself that the applicant is financially responsible and generally fit for the trust to be in him reposed; that the applicant other than an applicant for a dining-car license, if an individual, or, if a partnership each of the members of the partnership, or, if a corporation each of its principal officers and directors, is of good moral character, a citizen of the United States and not less than twenty-one years of age; that the applicant intends to carry on the business authorized by the license for himself and not as the agent of any individual,



partnership, association or corporation and that he intends to superintend in person the management of the business licensed, or intends to have some other person to be approved by the Commission manage the business for him; that the proposed location of the business is an appropriate one, taking into consideration its surroundings and the number of similar licenses already issued in the neighborhood where the applicant's business is to be conducted. A separate application shall be filed with respect to each place of business. Any such application shall be verified by the affidavit of the applicant if an individual, or by all the members of a partnership or by the proper officer of a corporation.

28. *Revocation or Suspension.* It shall be the duty of the Commission to cause frequent inspections to be made of all premises with respect to which any license shall have been issued under this act. If any licensee violates any of the rules and regulations of the Commission promulgated pursuant hereto or fails to superintend in person or through a manager approved by the Commission the business for which the license was issued or allows the premises with respect to which the license was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor any person who fails to carry out in good faith the purposes of this act the license may be suspended by the Commission without hearing, and may be revoked after notice and hearing. The Commission is authorized to investigate prices charged for liquor by holders of licenses as provided in this act. The Commission shall have the power to revoke or suspend the license of any licensee if the Commission finds after notice and hearing that the profit made from the sale of liquor by such licensee is unreasonable and excessive.

29. *Transportation.* The Commission may fix the quantity of liquor which may be transported by any person, without a license, at one time for his own use and that of his family. No person for his own use and that of his family shall at one time transport a greater quantity than that fixed by the Commission. It shall be lawful for common carriers

to transport liquor to State stores, to State warehouses, to licensees under this act, to purchasers of liquor at State stores, and from manufacturers to State warehouses, State stores and to the State line for transportation outside the State; for licensees under this act to transport liquor from State stores to their place of business; and for manufacturers to transport within the State to State warehouses and State stores and to the State line for transportation outside the State.

30. *Transfers.* No license shall be transferred without the consent in writing of the Commission.

31. *Sales Prohibited.* No licensee, sales agent, nor any other person, shall sell or give away or cause or permit or procure to be sold, delivered or given away any liquor or beverage to a minor, to an habitual drunkard, to an insane person, to a person under the influence of liquor, or to any other person to whom any court, selectman of a town, chief of police, overseer of the poor or the Commission shall prohibit sale.

In no case shall any section of this act be so construed as to permit the sale of liquor over a bar or in any so-called saloon or speak-easy.

32. *Employment of Minors.* No licensee under this act or permittee under Chapter 99, Laws of 1933, shall employ any minor, with or without compensation, to serve or in any wise handle liquor or beverage.

33. *Employment of Citizens.* No person, except a citizen of the United States, shall be employed to sell, serve, or deliver any liquor or beverage. The provisions of this section shall not apply to a railroad or car corporation holding a license under this act or a permit under Chapter 99 of the Laws of 1933.

34. *Advertising.* All advertising of liquor or beverage within the State, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifically authorized by the Commission.

35. *Local Option.* The following questions shall be submitted to the voters in cities and towns on the usual ballot at

each biennial election hereafter; (a) "Shall State stores be operated by permission of the State Liquor Commission in this city or town, under the provisions of 'An act to Regulate the Traffic in Intoxicating Liquor,' passed at the 1934 special session of the General Court?" (b) "Shall beverages be sold in this city or town under permits granted by the State Liquor Commission under the provisions of Chapter 99 of the Laws of 1933, and amendments thereto?"

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the disapproval of question (a) above, the Commission shall not operate State stores under the provisions of this act in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the disapproval of question (b) above, then the Commission shall not issue permits in said city or town under the provisions of said Chapter 99 of the Laws of 1933, and amendments thereto.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the approval of question (a) above, the Commission may at its discretion operate State stores under the provisions of this act in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the approval of question (b) above, then the Commission may at its discretion issue permits under said Chapter 99 of the Laws of 1933, and amendments thereto.

Provided, however, that nothing contained in this section shall prevent the Commission from operating State stores and issuing licenses under the provisions of this act and Chapter 99 of the Laws of 1933 and amendments thereto, between the time of the passage of this act and the next biennial election, in cities and towns which voted in favor of licensing the sale of beverages or liquor in the last election or town meeting in which that question was before the voters.

36. *Penalties.* Whoever violates any of the provisions of this act or any of the rules and regulations promulgated pur-

suant thereto shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six months or by both such fine and imprisonment, in the discretion of the court. If any licensee is convicted of a violation of the provisions of this act or any of the rules and regulations promulgated pursuant hereto the court shall immediately declare his license revoked and notify the board accordingly and no license shall thereafter be granted to him within the period of three years thereafter. In case of appeal the license of such licensee may be suspended during the pendency of such appeal, in the discretion of the Commission.

37. *Prosecutions.* The Commission shall, for the proper prosecution of any violation of this act or of Chapter 99 of the Laws of 1933, appoint an agent or agents whose duty it shall be and who shall have the power to prosecute any person guilty of any violation of this act or of said Chapter 99. The Commission shall fix the compensation of such agents, subject to the approval of the Governor and Council. Said agent or agents shall have all the powers of the sheriff in any county, with reference to the laws concerning liquor and beverage, and the enforcement of such laws, either in co-operation with, or independently of, the officers of any county, city or town. Said agent or agents shall give bond, in the form prescribed for sheriffs, for the faithful performance of duty, in such sum and with such sureties as the Governor and Council shall prescribe. The primary responsibility for the enforcement of all liquor and beverage laws shall be upon the Commission. Any person violating the provision of this act or of Chapter 99 of the Laws of 1933, may be prosecuted by the Commission or any of its agents as herein provided, or by county or city solicitors, or by sheriffs or their deputies, or by police officials of cities or towns.

38. *Fines.* All fines imposed and collected for the violation of the provisions of this act and of Chapter 99 of the Laws of 1933, shall be paid to the State, county, city or town the officials of which instituted the prosecutions.

39. *Preference Given Ex-Service Men.* Any person who served in the armed forces of the United States during any



war in which the United States was engaged, and received an honorable discharge from such service, shall, if qualified, be given preference in appointments under the provisions of Sections 7, 8, 10 and 37 of this act.

40. *Constitutional Construction.* The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to transfer monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. All net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931 entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

42. *Expiration Date of Licenses.* Any license issued under the provisions of this act shall expire June 15th of each year unless sooner revoked for cause by the Commission.

43. *Repeal.* Chapter 144 of the Public Laws relative to the sale of intoxicating and spirituous liquor, and Sections 2, 3, 4, 5, 22 and 28 of Chapter 99 of the Laws of 1933 are hereby repealed. All powers and duties now conferred and imposed upon the Control Commission by law shall be transferred to the State Liquor Commission herein constituted.

44. *Continuation of Permits.* All permits heretofore issued by the Control Commission under the authority of Chapter 99 of the Laws of 1933 shall be continued in force until the expiration date of such permits, unless sooner revoked for cause.

45. *Takes Effect.* This act shall take effect upon its passage.



The report was accepted, amendments adopted, and the bill was referred to the Committee on Finance under the rules.

(Recess)

The Senate reassembled.

On motion of Senator Quimby, the rules were so far suspended as to permit the introduction of a committee report not previously advertised in the journal.

#### COMMITTEE REPORT

Senator Calef, for the Committee on Finance, to whom was referred

House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor, having considered the same, reported the same with the following amendments, and recommended that the bill as amended ought to pass.

Amend Section 2 of the bill by striking out in line 36 the words, "forty-five hundred dollars," and the figures (\$4,500.00), and substituting therefor the words, "thirty-six hundred dollars," and the figures (\$3,600.00).

Further amend by striking out in line 36 after the figures, (\$4,500.00) the words, "and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties," and substituting therefor the words, "and each member of the Commission shall devote his full time to the duties of the Commission and shall receive his reasonable expenses while traveling in the performance of his duties," so that said section as amended shall read as follows:

Within ten days from the passage of this act, the Governor and Council, shall appoint a State Liquor Commission consisting of four commissioners, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two, three and four years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of four years from the first day in July next ensuing. If a vacancy shall occur

in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be thirty-six hundred dollars (\$3,600.00), and each member of the Commission shall devote his full time to the duties of the Commission and shall receive his reasonable expenses while traveling in the performance of his duties, provided however that the members of said Commission shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beverage business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and shall make a detailed annual report to the Governor and Council at the end of each fiscal year. Any or all of the members of said Commission may be removed by the Governor and Council for cause.

Further amend the bill by

Amending Section 41 of the bill by striking out in line 2 of said section the word, "transfer," and inserting in place thereof the word, "loan," so that said Section as amended shall read as follows:

"41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to loan monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operation capital of this act. All net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931 entitled, an act

providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith."

The report was accepted and amendments adopted.

Senator Houghton offered the following amendment.

Amend Section 2 of the bill by striking out in line 3 of said section the word "four" and inserting in place thereof the word "two": further amend by adding after the word "commissioners" in the third line of said section, the words "who shall devote their entire time to the service of the Commission"; further amend said section by striking out in line 3 of said section the word "two" and inserting in place thereof the word "one"; further amend said section by striking out after the word "one" in line 5, the words two, three, and four and inserting in place thereof the words "and two"; further amend said section by striking out in the tenth line of said section the word "four" and inserting in place thereof the word "two"; further amend said section by striking out in line 14 the words and figures "forty-five" and "\$4,500.00" and inserting in place thereof the words and figures four thousand and (\$4,000.00) so that said section as amended shall read:

2. *The Commission.* Within ten days from the passage of this act, the Governor and Council, shall appoint a State Liquor Commission consisting of two commissioners who shall devote their entire time to the service of the Commission, not more than one of whom shall belong to the same political party, who shall hold office for the terms of one and two years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of two years from the first day in July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be four thousand dollars (\$4,000.00), and the commissioners shall receive their reasonable expenses while

traveling in the performance of their duties, provided however that the members of said Commission shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beverage business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and shall make a detailed annual report to the Governor and Council at the end of each fiscal year. Any or all of the members of said Commission may be removed by the Governor and Council for cause.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

The President asked for a division.

The question being stated:

Shall the amendment be adopted?

Eight Senators having voted in the affirmative and fifteen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

Senator Sanborn offered the following amendment.

Amend Section 2 of the bill by striking out in line 3 of said section the word "four" and inserting in place thereof the word "three"; further amend said section by striking out the words "not more than two of whom shall belong to the same political party"; further amend said section by inserting after the word commissioners in line 3 of said section the words "who shall devote their entire time to the service of the Commission"; further amend said section by striking out the words "and four" in line 5, and inserting in place thereof the words "and three"; further amend said section by striking out



the word "four" in line 10 of said section and inserting in place the word "three"; further amend by striking out the words forty-five hundred dollars and the figures (\$4,500.00) and inserting in place thereof the words "four thousand dollars" and the figures (\$4,000.00) so that said section as amended shall read:

2. *The Commission.* Within ten days from the passage of this act the Governor and Council, shall appoint a State Liquor Commission consisting of three commissioners, who shall devote their entire time to the service of the Commission, not more than two of whom shall belong to the same political party who shall hold office for the terms of one, two and three years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of three years from the first day in July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be four thousand dollars (\$4,000.00) and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided however, that the members of said Commission shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beverage business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and



shall make a detailed annual report to the Governor and Council at the end of each fiscal year. Any or all members of said Commission may be removed by the Governor and Council for cause.

(Discussion ensued)

On a *viva voce* vote the negative prevailed and the amendment was not adopted.

Senator Dickson offered the following amendment.

Amend Section 23 of said bill by striking out said section and inserting in place thereof the following new sections:

23. *Druggists.* Any retail druggist in the State may sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such druggist shall keep a record of the liquor so sold on prescription and shall forward to the Commission monthly a statement of the name and address of each purchaser, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations necessary to carry out the provisions of this section but may not restrict the time when such liquor may be sold. Any retail druggist may sell sacramental wines to officers authorized to purchase the same under the provisions of Section 20. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission.

23a. *Druggists' Licenses.* In any city or town which has accepted the provisions of this act the Commission may issue licenses to such retail druggists as the Commission may approve to use and to sell liquor for medicinal, mechanical or chemical purposes.

23b. *Fee: Bond.* The annual fee for a druggist's license shall be fifty dollars. Every druggist so licensed shall give a surety bond to the State of New Hampshire in the sum of one thousand dollars for the faithful performance of all duties imposed under the provisions of this act and for compliance with rules and regulations of the Commission relative to such licenses.

23c. *Sales Authorized.* The license provided for in Section 23a shall entitle the licensee to sell medicinal liquor as

described in Section 11, and liquor for mechanical and chemical purposes to purchasers on certificate. Said certificates shall contain the name and address of the purchaser and shall state the use for which the liquor is wanted. At the time of such sale such certificate shall be cancelled in such a manner as to show the date of cancellation. All cancelled certificates shall be forwarded monthly to the Commission.

23d. *Record.* Every retail druggist licensed as herein provided shall keep a book in which he shall enter at the time of each sale as provided for in Section 23c the name and address of the purchaser, the quantity and the price of the liquor sold and the purpose for which it was sold. Said record shall be at all times open to the inspection of the Commission and its agents, the mayor and aldermen, selectmen, overseers of the poor, sheriffs, and police officers.

23e. *Report to Commission.* Every retail druggist licensed as herein provided shall make a report to the Commission monthly of the amount of liquor purchased for sale, the amount on hand and the amount sold. All liquor possessed, used or sold by licensed druggists shall be purchased from the Commission.

23f. *Rules and Regulations.* The Commission may make such rules and regulations for the sale of liquor as provided herein by druggists as may be necessary including the fixing of hours when such liquor may not be sold. Liquor may not be sold on certificate on Sundays or election days. The Commission may in their discretion prepare a list of persons to whom liquor upon certificate may not be sold. Said list shall be posted in a conspicuous place in stores where the druggists are licensed and while the name of any person is on said list the licensed druggist shall not sell liquor to said person. Said list may be revised from time to time by the Commission.

Senator Dale demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Dickson, McLean, Quimby, Bouthillier. Steele, Jacobson, Murphy, Foley and Martel.

The following named Senators voted in the negative:

Senators Gale, Sanborn, Alexander, Whitcomb, Chesley, Houghton, Heald, George, Doe, Calef, Cole, Bixler and Dale.

Ten Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed and the amendment was not adopted.

Senator Gale offered the following amendment.

Amend the bill by striking out in line 4, Section 19, everything in that paragraph after the word "Commission," and further amend by inserting after the word "glass" in line 11 of Section 19 the words "and fortified wines by the bottle, if the cork is drawn" and by inserting after the words "shall not sell such liquor" in lines 13 and 14 of said section, so that said section as amended shall read:

19. *Licenses for Hotels.* The Commission may issue licenses to first class hotels in any city or town. The determination of what is a first class hotel is to be within the discretion of the Commission.

Said license shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide guests with meals in the dining-room or in the rooms of the guests, provided that in cities and towns voting not to accept the provisions of this act the licensee shall not sell such liquor or wines to a resident of the city or town in which such hotel is located.

(Discussion ensued)

On a *viva voce* vote the affirmative prevailed and the amendment was adopted.

Senator Foley offered the following amendment.

Amend Section 7 by adding at the end thereof the following:

"It shall be unlawful to manufacture for sale or to sell any liquor as defined in this act or any beverage as defined in Chapter 99, Laws of 1933 and amendments thereto which is adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health," so that said Section as amended shall read as follows:

7. *Assistants.* Said Commission is hereby authorized and empowered to employ such assistants as are, in its opin-

ion, necessary for the proper transaction of the business of their office and to fix their compensation, also to secure any necessary technical or professional assistance. Said Commission shall cause such precautions to be taken as it may deem necessary to insure the purity and freedom from misbranding of all liquors sold. It shall be unlawful to manufacture for sale or to sell any liquor as defined in this act or any beverage as defined in Chapter 99, Laws of 1933 and amendments thereto which is adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health.

On a *viva voce* vote the affirmative prevailed and the amendment was adopted.

Senator Doe moved that the Senate reconsider its vote whereby the amendment offered by Senator Gale was adopted.

Senator Doe demanded a roll call.

The Clerk proceeded to call the roll.

The question being stated:

Shall the Senate reconsider its vote?

The following named Senators voted in the affirmative: Senators Martel, Doe and Dale.

The following named Senators voted in the negative: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Calef, Cole and Bixler.

Three Senators having voted in the affirmative and twenty Senators having voted in the negative, the negative prevailed and the motion to reconsider was lost.

Senator McLean offered the following amendment:

Amend Section 21 of House Bill No. 489 in Senate new draft by striking out the words "The fee for such license shall be fixed by the Commission and shall be not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) per annum." and inserting in place thereof the words "The fee for such license shall be one hundred dollars

(\$100.00) per annum." so that said section shall read as follows:

21. *Dining Cars.* The Commission may issue a license to any railroad or car corporation operating any cars in which food is served within this State, authorizing the holder thereof to sell in such cars, after leaving and before reaching the terminal stops thereof, liquor and beverages to be drunk in such cars. Such license shall be good throughout the State in both license and non-license territory, and only one such license shall be required for all cars operated in the State by the same owner. The fee for such license shall be one hundred dollars (\$100.00) per annum. The provisions of Section 13 shall not apply to sales to nor to purchases or sales by such licensees; and the provisions of Section 29 shall not apply to the transportation by such licensees for purpose of sale under the terms of their licenses.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Senator Jacobson offered the following amendment.

Amend Section 34 of the bill by striking out all of said section renumbering the following sections, so that 35 shall be 34, 36 shall be 35, 37 shall be 36, 38 shall be 37, 39 shall be 38, 40 shall be 39, 41 shall be 40, 42 shall be 41, 43 shall be 42, 44 shall be 43, and 45 shall be 44.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

Senator Jacobson demanded a roll call.

The Clerk proceeded to call the roll.

The question being stated:

Shall the amendment be adopted?

The following named Senators voted in the affirmative: Senators Dickson, McLean, Quimby, Alexander, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel and Cole.

The following named Senators voted in the negative: Senators Gale, Sanborn, Whitcomb, Chesley, Houghton, Heald, Doe, Calef, Bixler and Dale.

Twelve Senators having voted in the affirmative and ten



Senators having voted in the negative, the affirmative prevailed and the amendment was adopted.

Senator Jacobson offered the following amendment.

Amend Section 16 of the bill by striking out in the 12th, 13th and 14th lines of said section the words "Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe"; so that said section as amended shall read:

16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time.

(Discussion ensued)

On a *viva voce* vote the negative prevailed and the amendment was not adopted.

On motion of Senator Doe, the rules were suspended, and the bill was read a third time.

The question being stated:

Shall the bill pass?

Senator Doe demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole and Dale.

The following named Senators voted in the negative: Senators Whitcomb, Chesley and Bixler.

Twenty-one Senators having voted in the affirmative and three Senators having voted in the negative, the affirmative prevailed and the bill was passed.

(Recess)

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives refuses to concur with the Honorable Senate in the passage of the following bill with amendments, House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor, and asks for a committee of conference. The Speaker has appointed as members of this committee on the part of the House, Messrs. Hunter of Hanover, Baker of Concord, Dickinson of Danville, Keefe of Dover and Shaw of Franklin.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a committee of conference and the President appointed as members of such committee on the part of the Senate, Senators Dale, Doe and Alexander.

On motion of Senator Doe, the Senate adjourned.

#### AFTERNOON

On motion of Senator Doe, the Senate adjourned until Friday morning at 10 o'clock.

---

FRIDAY, JUNE 1, 1934.

The Senate met according to adjournment.

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexan-

der, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

(Recess)

The Senate reassembled.

#### INTRODUCTION OF BILL

Senator Kelley, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill.

Senate Bill No. 58, An act relating to the City of Berlin.

On motion of Senator Dale, the foregoing entitled bill was read a first and second time by title.

On motion of Senator Kelley, the rules were further suspended, printing and reference to committee dispensed with and the bill was referred to the Supreme Court for a decision on its constitutionality.

(Recess)

The Senate reassembled.

#### INTRODUCTION OF BILLS

Senator Dale, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time and laid upon the table to be printed.

Senate Bill No. 59, An act relating to hawkers and peddlers.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the bill was read a third time and passed.

Senator Dale, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time and laid upon the table to be printed.

Senate Bill No. 60, An act relating to itinerant vendors.

On motion of the same Senator, the rules were further suspended, reference to committee and printing dispensed with and the foregoing entitled bill was read a third time and passed.

Senator Dale, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time and laid upon the table to be printed.

Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

(Recess)

The Senate reassembled.

On motion of Senator Kelley the Senate voted to reconsider its vote whereby the rules were suspended, printing and reference to committee dispensed with and the following entitled bill was referred to the Supreme Court for a decision on its constitutionality.

Senate Bill No. 58, An act relating to the City of Berlin.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the bill was read a third time.

The question being stated:

Shall the bill pass?

On motion of Senator Dale, the Senate voted to reconsider its vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same Senator, the bill was referred to the Committee on the Judiciary.

(Recess)

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has voted to ask for another committee of conference on House Bill No. 489 (In new

draft), An act to regulate the traffic in intoxicating liquor, and has appointed as members of such committee, Messrs. Pingree of Berlin, Shaw of Chichester, Leahy of Claremont, Seavey of Rochester and Osborn of Sunapee.

On motion of Senator Doe, the Senate voted to accede to the request of the House of Representatives for a committee of conference.

Senator Jacobson moved that the committee on the part of the Senate be instructed not to recede from their position for a four man Commission.

(Recess)

The Senate reassembled.

On motion of Senator Jacobson, the Senate adjourned.

#### AFTERNOON

On motion of Senator Houghton, the members of the Senate committee of conference were released from their instructions.

(Recess)

The Senate reassembled.

On motion of Senator Doe, the Senate adjourned until Monday morning at ten o'clock.

---

MONDAY, JUNE 4, 1934.

The Senate met according to adjournment.

#### ROLL CALL

The Clerk proceeded to call the roll for the purpose of ascertaining the attendance.

The following named Senators were present: Senators Kelley, Dickson, McLean, Gale, Sanborn, Quimby, Alexander, Whitcomb, Chesley, Houghton, Cummings, Heald, Bouthillier, Steele, George, Jacobson, Murphy, Foley, Martel, Doe, Calef, Cole, Bixler and Dale.

(Recess)

The Senate reassembled.



## COMMITTEE REPORT

The committee of conference to whom was referred House Bill No. 489, An act to regulate the traffic in intoxicating liquor, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and adopt the following amendments.

CHARLES M. DALE,

HAVEN DOE,

A. C. ALEXANDER,

*Conferees on the part of the Senate.*

E. H. HUNTER,

ALBERT S. BAKER,

JAMES S. SHAW,

F. CLYDE KEEFE,

RICHARDSON H. DICKINSON,

*Conferees on the part of the House.*

Amend Section 5 by striking out in line 4 the words "and all funds" and by inserting after the word "and" the word "the," so that said section as amended shall read: 5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and the property of the State in the custody of the control commission shall automatically be transferred to the Commission.

Amend Section 16 by adding at the end thereof the following: and liquor sold in a State store shall not be consumed in any public place, so that said section as amended shall read: 16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the

operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time and liquor sold in a State store shall not be consumed in any public place.

Amend Section 23 by striking out in lines 5 and 6 the words "and shall forward to the Commission monthly a statement of the name and address of each purchaser," so that said section as amended shall read: 23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be one dollar (\$1.00) per annum. Said licensee may purchase from the Commission for use in compounding medicines such liquor as may be necessary.

Amend said bill by striking out Section 29 and inserting in place thereof the following: 29. *Transportation.* No person shall transport liquor in this State unless said liquor was legally purchased from a State store or from a licensee of the State where purchased; provided that no person shall transport liquor for resale except for resale to State stores and licensees in this State or any other State.

Amend said bill by inserting Section 34. *Advertising.*

All advertising of liquor or beverages within the State, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifically authorized by the Commission.

Amend Section 39 by inserting in line 4 after the word "if" the word equally, so that said section as amended shall read: 39. *Preference Given Ex-Service Men.* Any person who served in the armed forces of the United States during any war in which the United States was engaged, and received an honorable discharge from such service, shall, if equally qualified, be given preference in appointments under the provisions of Section 7, 8, 10 and 37 of this act.

Amend said bill by adding after the word "act" in line 4 the words: At least every six months, so that said section as amended shall read: 41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to transfer monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenues derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distribution in accordance therewith.

The question being on the report of the committee of conference.

On motion of Senator George, the report was accepted and amendments adopted.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives concurs with the Honorable Senate on House Bill No. 489 (In new draft), An act to regu-

late the traffic in intoxicating liquor, in its amendments to the following sections:

6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40.

The message further stated that the House of Representatives had concurred with the Senate in the passage of the following bills.

Senate Bill No. 59, An act relating to hawkers and peddlers.

Senate Bill No. 60, An act relating to itinerant vendors.

#### COMMITTEE REPORT

The committee on conference to whom was referred House Bill No. 489, In new draft, as amended by Senate Committee, An act to regulate the traffic in intoxicating liquor, report the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position and adopt the following amendments.

CHARLES M. DALE,

HAVEN DOE,

A. C. ALEXANDER,

*Conferees on the part of the Senate.*

JOHN L. T. SHAW,

ALBERT D. LEAHY,

RALPH F. SEAVEY,

R. W. PINGREE,

L. L. OSBORNE,

*Conferees on the part of the House.*

Amend said bill by striking out Sections 2, 3 and 4 and inserting in place thereof the following sections:

2. *Commission Established.* Within ten days from the passage of this act the Governor and Council shall appoint a State Liquor Commission consisting of three members, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two and three years, respectively, the length of the term of each to be fixed in his commission and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission

shall be appointed in the month of June of each year for a term of three years from the first day of July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. Any or all of said Commissioners may be removed by the Governor and Council for cause.

3. *Chairman; Compensation.* The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each member of the Commission shall be four thousand dollars and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. Said members of the Commission shall devote their entire time to the service of said Commission. No member of the Commission shall be directly or indirectly interested in the liquor or beverage business. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council.

4. *Bond; Report.* Before entering upon the duties of his office each member of the Commission shall give bond in the sum of ten thousand dollars, with sufficient sureties to be approved by the Governor and Council, conditioned for the faithful discharge of the duties of his office, which bond shall be deposited and safely kept in the office of the Secretary of State.

On motion of Senator George, the Senate voted to accept the report of the committee of conference, and the amendments thereto were adopted.

(Recess)

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.



## HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has adopted the reports of the committees of conference on House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor.

Amend said bill by striking out Sections 2, 3 and 4 and inserting in place thereof the following sections:

2. *Commission Established.* Within ten days from the passage of this act the Governor and Council shall appoint a State Liquor Commission consisting of three members, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two and three years, respectively, the length of the term of each to be fixed in his Commission and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of three years from the first day of July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. Any or all of said commissioners may be removed by the Governor and Council for cause.

3. *Chairman; Compensation.* The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each member of the Commission shall be four thousand dollars and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. Said members of the Commission shall devote their entire time to the service of said Commission. No member of the Commission shall be directly or indirectly interested in the liquor or beverage business. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council.

4. *Bond; Report.* Before entering upon the duties of his office each member of the Commission shall give bond in the sum of ten thousand dollars, with sufficient sureties to be approved by the Governor and Council, conditioned for the faithful discharge of the duties of his office, which bond shall be deposited and safely kept in the office of the Secretary of State.

Amend Section 5 by striking out in line 4 the words "and all funds" and by inserting after the word "and" the word "the," so that said section as amended shall read: 5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and the property of the State in the custody of the control commission shall automatically be transferred to the Commission.

Amend Section 16 by adding at the end thereof the following: and liquor sold in a State store shall not be consumed in any public place, so that said section as amended shall read: 16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time and liquor sold in a State store shall not be consumed in any public place.

Amend Section 23 by striking out in lines 5 and 6 the words "and shall forward to the Commission monthly a statement of the name and address of each purchaser," so that said section as amended shall read: 23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be one dollar (\$1.00) per annum. Said licensee may purchase from the Commission for use in compounding medicines such liquor as may be necessary.

Amend said bill by striking out Section 29 and inserting in place thereof the following: 29. *Transportation.* No person shall transport liquor in this State unless said liquor was legally purchased from a State store or from a licensee of the State where purchased; provided that no person shall transport liquor for resale except for resale to State stores and licensees in this State or any other State.

Amend said bill by inserting Section 34. *Advertising.* All advertising of liquor or beverages within the State, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifically authorized by the Commission.

Amend Section 39 by inserting in line 4 after the word "if" the word equally, so that said section as amended shall read: 39. *Preference Given Ex-Service Men.* Any person who served in the armed forces of the United States during any war in which the United States was engaged, and received an honorable discharge from such service, shall, if equally qualified, be given preference in appointments under the provisions of Sections 7, 8, 10 and 37 of this act.

Amend said bill by adding after the word "act" in line 4 the words: At least every six months, so that said section as amended shall read: 41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to transfer monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

The message further stated the House of Representatives had passed the following resolution:

*Resolved*, That the Honorable Senate be requested to meet with the House at its earliest convenience in joint convention for the purpose of receiving a message from His Excellency, Governor John G. Winant.

On motion of Senator Doe the Senate voted to accede to the request of the House of Representatives in the foregoing resolution. (*See House Proceedings*)

#### MINORITY AND MAJORITY REPORT

Senator Dale, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following committee report not previously advertised in the journal.

A majority of the Committee on the Judiciary, to whom was referred Senate Bill No. 58, An act relating to the city of Berlin, having considered the same, reported the same without amendment and recommended its passage.

RALPH H. GEORGE,  
JAMES W. BIXLER,  
ARTHUR P. GALE,

*For a majority of the Committee.*

A minority of the Committee on the Judiciary, to whom was referred Senate Bill No. 58, An act relating to the City

of Berlin, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

CHARLES M. DALE,  
HAVEN DOE,

*For a minority of the Committee.*

Senator Dale moved that the report of the minority be substituted for that of the majority.

(Discussion ensued)

Senator Kelley demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Quimby, Alexander, Whitcomb, Chesley, Houghton, Bouthillier, Steele, Doe and Dale.

The following named Senators voted in the negative: Senators Kelley, Dickson, McLean, Gale, Sanborn, Heald, George, Jacobson, Murphy, Foley, Martel, Cole and Bixler.

Nine Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated:

Shall the bill be read a third time?

On motion of Senator Kelley, the rules were suspended and the foregoing entitled bill was read a third time and passed.

(Recess)

The Senate reassembled.

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills.

Senate Bill No. 59, An act relating to hawkers and peddlers.

Senate Bill No. 60, An act relating to itinerant vendors.

HAVEN DOE,  
*For the Committee.*

(Recess)

The Senate reassembled.



## COMMITTEE APPOINTED

The President appointed as a committee to act with a like committee from the House of Representatives in regard to the amendments suggested by his Excellency the Governor, to House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor, Senators Gale and Calef.

## BILL RECALLED FROM GOVERNOR

On motion of Senator Gale the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor.

## BILL RETURNED FROM GOVERNOR

Pursuant to the above request the Governor returned House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor.

On motion of Senator Gale, the rules were so far suspended as to allow the reconsideration of the vote on the above bill.

On motion of the same Senator the Senate voted to reconsider the vote whereby the bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the bill was ordered to a third reading.

Senator Gale offered the following amendments to the foregoing bill which were suggested by the committee of conference.

Amend Section 12 of said bill by adding at the end thereof the following sentence:

Liquor or beverages shall not be sold in any establishment where booths that are not open at the ends or that are more than 42 inches high are used for serving patrons.

So that said section as amended shall read as follows:

12. *Rules and Regulations.* Said commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions of this act, and such rules

and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days except by persons holding licenses under the provisions of Sections 19, 21, 22, and 23. Liquor or beverages shall not be sold in any establishment where booths that are not open at the ends or that are more than 42 inches high are used for serving patrons.

On a *viva voce* vote the foregoing amendment was adopted.

Amend Section 22 of said bill by adding at the end thereof the following new paragraph:

A licensee under this section shall sell for convenience and not for profit, and such licensee shall make a sworn return to the Commission in such form as the Commission in its discretion shall require once each month, showing the income from liquor sold, and the expenses properly chargeable to that part of the business of the licensee. Provided, however, that the cost of a license as provided herein may be considered as a part of the expense of selling liquor.

So that said section as amended shall read as follows:

Section 22. *Clubs.* In towns and cities which have accepted the provisions of this act the Commission may issue licenses to clubs incorporated under the laws of the State of New Hampshire or which are affiliated with any national fraternal organization for the sale to members and bona fide guests, of liquor by the glass only. The club license fee shall be one hundred dollars (\$100.00) per annum.

A licensee under this section shall sell for convenience and not for profit, and such licensee shall make a sworn return to the Commission in such form as the Commission in its discretion shall require once each month, showing the income from liquor sold, and the expenses properly chargeable to that part of the business of the licensee. Provided, however, that the cost of a license as provided herein may be considered as a part of the expense of selling liquor.

On a *viva voce* vote the foregoing amendment was adopted.

Amend said bill by adding after Section 24 the following new section:

24-a. *Sales.* No manufacturer licensed under the provi-

sions of this act shall sell liquor except to State stores and for shipment outside the State.

Amend Section 28 of said bill by adding after the word "violates" in the fourth line the words, any of the provisions of this act or, so that said section as amended shall read as follows:

28. *Revocation or Suspension.* It shall be the duty of the Commission to cause frequent inspections to be made of all premises with respect to which any license shall have been issued under this act. If any licensee violates any of the provisions of this act or any of the rules and regulations of the Commission promulgated pursuant hereto or fails to superintend in person or through a manager approved by the Commission the business for which the license was issued or allows the premises with respect to which the license was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor any person who fails to carry out in good faith the purposes of this act the license may be suspended by the Commission without hearing, and may be revoked after notice and hearing. The Commission is authorized to investigate prices charged for liquor by holders of licenses as provided in this act. The Commission shall have the power to revoke or suspend the license of any licensee if the Commission finds after notice and hearing that the profit made from the sale of liquor by such licensee is unreasonable and excessive.

On a *viva voce* vote the foregoing amendment was adopted.

Amend said bill by striking out Section 29 and inserting in place thereof the following:

29. *Transportation.* No person shall transport liquor in this State in a greater quantity than three quarts, unless said liquor was purchased from a State store. Provided, however, that the Commission in its discretion may grant to an individual, upon application made by such individual, a permit to transport for a specific journey liquor not purchased at a State store for his own personal use, in a quantity not to exceed three gallons. It shall be lawful for common carriers to transport liquor to State stores, to State warehouses,

to licensees under this act, to purchasers of liquor at State stores, and from manufacturers to State warehouses, State stores and to the State line for transportation outside the State; for licensees under this act to transport liquor from State stores to their place of business; and for manufacturers to transport within the State to State warehouses and State stores and to the State line for transportation outside the State.

Amend said bill by inserting therein a new section after Section 29 numbered Section 29a to read as follows:

29a. No person shall possess, transport, procure, furnish or give away any liquor except such as has been sold under the provisions of this act or legally purchased outside the State and except as otherwise provided herein.

On a *viva voce* vote the foregoing amendment was adopted.

Amend Section 41 of the bill by striking out in line 2 of said section the word "transfer" and inserting in place thereof the word "loan" so that said section as amended shall read as follows:

*Funds.* The Governor and Council are hereby authorized to issue short term notes or to loan monies from the general fund up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, An act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

On a *viva voce* vote the foregoing amendment was adopted.

Amend Section 45 of said bill by striking out the same and inserting in place thereof the following:

45. *Takes Effect.* This act shall take effect upon its passage except that the repeal of Chapter 144 of the Public Laws and the sections of Chapter 99 of the Laws of 1933 referred

to in Section 43 shall take effect when the Commission herein constituted have been appointed and have qualified.

On *viva voce* vote the foregoing amendment was adopted.

On motion of Senator Dale, the rules were suspended, and the foregoing bill was read a third time and passed.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following entitled bill in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 492, An act relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester.

#### READ AND REFERRED

The following bill sent up from the House of Representatives was read a first and second time.

House Bill No. 492, An act relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester.

On motion of Senator Dale, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time by title and passed.

(Recess)

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934 as an annual meeting.



House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934.

House Bill No. 497, An act relating to the issuance of bonds by the town of Ashland.

#### READ AND REFERRED

The following entitled bills sent up from the House of Representatives were read a first and second time.

House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934 as an annual meeting.

On motion of Senator Dale, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934.

On motion of the same Senator, the rules were further suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

House Bill No. 497, An act relating to the issuance of bonds by the town of Ashland.

On motion of Senator Sanborn, the rules were suspended, printing and reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

(Recess)

The Senate reassembled.

Senator Bixler in the Chair

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has concurred with the Senate in the passage of the following bills, with amendments in the passage of which amendments the House of Representatives asks the concurrence of the Honorable Senate.

Senate Bill No. 58, An act relating to the city of Berlin.

Amend subsection (a) of Section 1 by striking out all of said section and substituting therefor the following: (a) To construct buildings, or to purchase land and/or buildings, or to lease land and buildings for a fixed term of years with option of purchase at an agreed price at the expiration of the lease, in said Berlin, and to suitably alter, repair or equip the same for such manufacturing or other legitimate purposes, that will afford the greatest and actual amount of work to those residents of said city receiving or likely to receive relief from public funds.

Amend Section 4 by inserting in line 3 after the word "residents" the words, of the city of Berlin, so that said section as amended shall read: 4. In any lease or agreement for the use of said property, so acquired, there shall be inserted a clause, providing that insofar as possible, all those employees to work therein, shall be residents of the city of Berlin now or likely to be on public relief.

On motion of Senator Gale, the Senate voted to concur with the House of Representatives in the adoption of the foregoing amendment.

### RECESS

The Senate reassembled.

Senator Bixler in Chair

The following message was received from the House of Representatives by its Clerk.

### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has concurred with the Senate in the passage of the following bill:

Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

The message further stated that the House of Representatives has voted to concur with the Honorable Senate in its amendments to the following bill.

House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor.

## RECESS

The Senate reassembled.

Senator Dale in Chair

Senator Doe for the Committee on Engrossed Bills to whom was referred Senate Bill No. 58, An act relating to the city of Berlin, having considered the same, reported the same under Joint Resolution No. 6, with the following amendment.

Amend Section 6 of said bill by striking out said section and inserting in place thereof the following:

6. *Credit not to be Pledged.* The credit of said city shall not be pledged by vote or otherwise in connection with the operation of any business that may be conducted on said premises.

Further amend said bill by striking out Section 8 and inserting in place thereof the following:

8. *Takes Effect.* This act shall take effect if and when the Supreme Court declares it constitutional.

On *viva voce* vote the amendments were adopted.

The following message was received from the House of Representatives by its Clerk.

## HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following bill and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 148, Joint resolution for expenses of special session of legislature.

House Joint Resolution No. 149, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 150, Joint resolution relating to mileage for members of the General Court attending the 1934 special session.

House Joint Resolution No. 151, Joint resolution making appropriation for repairs at the State Prison.

House Bill No. 499, An act relating to authority to issue county bonds.

The message further stated that the House of Representa-

tives had voted to concur with the Honorable Senate in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 58, An act relating to the city of Berlin.

#### READ AND REFERRED

The following bill and joint resolution sent up from the House of Representatives was read a first and second time.

House Bill No. 499, An act relating to authority to issue county bonds.

On motion of Senator Dale the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time by title and passed.

House Joint Resolution No. 148, Joint resolution for expenses of special session of Legislature.

On motion of Senator Quimby the rules were suspended, reference to committee dispensed with and the foregoing joint resolution was read a third time by caption and passed.

House Joint Resolution No. 149, Joint resolution in favor of Guy S. Neal and others.

On motion of Senator Quimby the rules were suspended, reference to committee dispensed with and the foregoing joint resolution was read a third time by caption and passed.

House Joint Resolution No. 150, Joint resolution relating to mileage for members of the General Court attending the 1934 Special Session.

On motion of Senator Quimby the rules were suspended, reference to committee dispensed with and the foregoing joint resolution was read a third time by caption and passed.

House Joint Resolution No. 151, Joint resolution making appropriation for repairs at the State Prison.

On motion of Senator McLean the rules were suspended, reference to committee dispensed with and the foregoing joint resolution was read a third time by caption and passed.

#### RECESS

The Senate reassembled.

The following message was received from the House of Representatives by its Clerk:

## HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following entitled House Joint Resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 152, Joint resolution for the repair of highways in the town of Unity.

House Joint Resolution No. 153, Joint resolution for the repair of highways in the town of Lempster.

## READ AND REFERRED

The following joint resolution sent up from the House of Representatives was read a first and second time.

House Joint Resolution No. 152, Joint resolution for the repair of highways in the town of Unity.

On motion of Senator McLean, the rules were suspended, reference dispensed with and the foregoing joint resolution was read a third time by caption and passed.

The following joint resolution sent up from the House of Representatives was read a first and second time.

House Joint Resolution No. 153, Joint resolution for repair of highways in the town of Lempster.

On motion of Senator McLean the rules were suspended, reference dispensed with and the foregoing joint resolution was read a third time by caption and passed.

The following message was received from the House of Representatives by its Clerk.

## HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following resolution in the passage of which it asks the concurrence of the Honorable Senate:

WHEREAS, it appears that all necessary legislative work may be easily accomplished by Monday, June 4, instant, therefore be it

RESOLVED, by the House of Representatives, the Senate concurring, that the present (special) session of the legisla-



ture be brought to final adjournment on Monday, June 4, instant, at 12 o'clock midnight.

Be it further resolved, That all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

On motion of Senator McLean, the Senate voted to concur with the House of Representatives in the adoption of the foregoing joint resolution.

On motion of Senator Dickson the Senate adjourned.

## AFTERNOON

### COMMITTEE REPORT

#### BILLS ENGROSSED

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

June 4, 1934, Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

June 4, 1934, House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934, as an annual meeting.

June 4, 1934, House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934.

June 4, 1934, House Bill No. 492, An Act relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester.

June 4, 1934, House Bill No. 497, An Act relating to the issuance of bonds by the town of Ashland.

June 4, 1934, House Bill No. 489, An act to regulate the traffic in intoxicating liquor.

June 4, 1934, Senate Bill No. 58, An Act relating to the city of Berlin.

June 4, 1934, House Joint Resolution No. 148, Joint resolution for expenses of special session of legislature.

June 4, 1934, House Joint Resolution No. 150, Joint resolution relating to mileage for members of the General Court attending the 1934 Special Session.

June 4, 1934, House Joint Resolution No. 149, Joint resolution in favor of Guy S. Neal and others.

June 4, 1934, House Joint Resolution No. 152, Joint resolution for the repair of highways in the town of Unity.

June 4, 1934, House Joint Resolution No. 153, Joint resolution for the repair of highways in the town of Lempster.

June 4, 1934, House Joint Resolution No. 151, Joint resolution making appropriation for repairs at the state prison.

June 4, 1934, House Bill No. 499, An act relating to authority to issue county bonds.

HAVEN DOE,  
*For the Committee.*

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE

MR. PRESIDENT:

The House of Representatives has passed the following concurrent resolution.

RESOLVED, by the House of Representatives, the Senate concurring that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make. The Speaker appointed as members on part of the House Messrs. Sibley of Keene, Page of Gilmanton, Osborn of Sunapee, Winn of Harrisville, Pingree of Berlin, Condon of Newport, Henderson of Durham, Shaw of Chichester, Baker of Concord and Hunter of Hanover.

On motion of Senator McLean the Senate voted to concur with the House of Representatives in the adoption of the foregoing resolution, and the President appointed as mem-

bers on the part of the Senate, Senators McLean, Gale, Houghton, Calif and Doe.

His Excellency, Honorable John G. Winant, then appeared and made the following communication to the Senate.

*To the Honorable Senate:*

The Joint Committee of the Senate and the House of Representatives having informed me that you have completed the business of the Session and are ready to adjourn, I do by the authority vested in me as Governor hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord, one thousand nine hundred thirty-four.

JOHN G. WINANT,  
*Governor.*

And thereupon the President in accordance with the Proclamation of His Excellency the Governor, and by virtue of the authority vested in him declared the Senate adjourned to the last Wednesday in December, in the year of Our Lord one thousand nine hundred and thirty-four.

BENJAMIN F. GREER,  
*Clerk.*

*A True Copy. Attest:*

BENJAMIN F. GREER,  
*Clerk.*



# APPENDIX

## PAY ROLL

Senate Attendance			Days	Amount
Dist. No.		Senator		
1		Kelley	15	\$45.00
2		Dickson	15	45.00
3		McLean	15	45.00
4		Gale	15	45.00
5		Sanborn	15	45.00
6		Quimby	15	45.00
7		Alexander	15	45.00
8		Whitcomb	15	45.00
9		Chesley	15	45.00
10		Houghton	15	45.00
11		Cummings	15	45.00
12		Heald	15	45.00
13		Bouthillier	15	45.00
14		Steele	15	45.00
15		George	15	45.00
16		Jacobson	15	45.00
17		Murphy	15	45.00
18		Foley	15	45.00
19		Martel	15	45.00
20		Doe	15	45.00
21		Calef	15	45.00
22		Cole	15	45.00
23		Bixler	15	45.00
24		Dale	15	45.00

I hereby certify that the above record of attendance of the members of the Senate for the Special Session of 1934 is correct to the best of my knowledge and belief.

BENJAMIN F. GREER,  
*Clerk.*

A true copy. Attest:

BENJAMIN F. GREER,  
*Clerk.*





INDEX  
TO THE  
SENATE JOURNAL



# SENATE INDEX

---

## A

Absence (See Leave of).....	6, 9, 10, 11, 15
Acts Passed (See Engrossed Bills).....	54, 65, 66
Adjournments.....	8, 9, 10, 11, 12, 14, 15, 16, 41, 44
Final.....	67
Resolution regarding.....	64, 65
Appointment of Committee.....	55
Appropriation to State Prison.....	62, 63, 66
Ashland, Bond issue by.....	60, 65
Authority, County to issue Bonds.....	62, 63

## B

Berlin, Relating to City of.....	42, 43, 53, 54, 60, 62, 63, 65
Bill, Recalled from Governor.....	55
Bonds, Issuance of Ashland.....	60, 65
Authority to issue, County.....	62, 63, 66

## C

Charter, Mount St. Mary's Convent, relating to.....	59, 65
Committee, appointed.....	55
Conference, H. B. 489.....	41, 43

## E

Engrossed Bills.....	54, 65, 66
Expenses, Special Session, 1934.....	62, 63, 65

## G

General Court, Relating to mileage for members of.....	62, 63, 66
Gilmanton, Legalizing meeting held at.....	59, 60, 65
Governor, Proclamation of.....	3
Message of.....	67
Greenfield, Legalizing meeting held at.....	60, 65

## H

Hawkers and Peddlers, Relating to.....	42, 54
Highway, Repairs in Town of Lempster.....	64, 66
Repairs in Town of Unity.....	64, 66
House Messages.....	6, 7, 8, 13, 41, 43, 47, 50, 59, 60, 61, 62, 64, 66

## I

Intoxicating Liquor, to regulate traffic in.....	13, 15, 16, 30, 41, 43
	45, 47, 48, 50, 55, 61, 65
Issuance of Bonds, Town of Ashland.....	60, 65
Itinerant Vendors, Relating to.....	42, 54

## L

Leaves of Absence.....	6, 9, 10, 11, 15
Legalizing meeting in Gilmanton.....	59, 60, 65
annual meeting in Greenfield.....	60, 65
action taken by City of Portsmouth.....	43, 61, 65
Lempster, Repair of Highways.....	64, 66

## M

Messages, from Governor.....	67
House.....	6, 7, 8, 13, 41, 43, 47, 50
	59, 60, 61, 62, 64, 66
Mileage, Relating to.....	62, 63, 66
Mount St. Mary's Convent, Relating to Charter.....	59, 65

## N

Neal, Guy S., <i>et al.</i> , in favor of.....	62, 63, 66
--	------------

## P

President of the Senate, Appoints Committee.....	55
Adjourns Senate finally.....	67
Portsmouth, Legalizing action of City.....	43, 61, 65
Proclamation of Governor.....	3
Providing Appropriation for repairs State Prison.....	62, 63, 66

## R

Recalled, from Governor.....	55
Regulation of traffic in intoxicating liquor.....	13, 15, 16, 30, 41, 43, 45
	47, 48, 50, 55, 61, 65
Relating to Appropriation for repairs, State Prison.....	62, 63, 66
Authority to issue County bonds.....	62, 63, 66
Bond issue, Ashland.....	60, 65
Charter Mount St. Mary's Convent.....	59, 65
City of Berlin.....	42, 53, 54, 60, 62, 63, 65
Expenses of Special Session.....	62, 63, 65
Mileage of Members, General Court.....	62, 63, 66
Repair of Highways, Lempster.....	64, 66
Unity.....	64, 66
Roll Calls.....	5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 36, 38, 39, 40, 41, 44, 54

## S

Special Session, Relating to mileage for members at.....	62, 63, 66
Expenses of.....	62, 63, 65
State Prison, Appropriation for repairs.....	62, 63, 66

## T

Traffic in Intoxicating Liquors, Regulation of.....	13, 15, 16, 30, 41, 43
	45, 47, 48, 50, 55, 61, 65

## U

Unity, Repair of Highways in.....	64, 66
-----------------------------------	--------







JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
SPECIAL SESSION OF 1934



JOURNAL  
*of the*  
HOUSE OF REPRESENTATIVES

SPECIAL SESSION, MAY, 1934

---

MONDAY, MAY 14, 1934.

PROCLAMATION BY THE GOVERNOR

MAY 7, 1934.

Whereas the welfare of the state requires the assembling of the legislature,

I, John G. Winant, Governor, with the advice and consent of the Council, hereby summon the General Court to assemble at the State House, Monday, the 14th day of May, 1934, at eleven o'clock, a. m. Eastern Standard Time.

JOHN G. WINANT

*Governor.*

By His Excellency, the Governor, with the advice and consent of the Council.

ENOCH D. FULLER,

*Secretary of State.*

In pursuance of the foregoing proclamation, the House of Representatives having assembled in the capitol in the City of Concord, in said state, on Monday, May 14, 1934, being the day designated in the foregoing proclamation by His Excellency, the Governor, they were called to order by the Speaker.

Prayer was offered by the Chaplain as follows.

Lord God of our fathers, author of all that we honor in them, source of all that we seek for ourselves, the members



of this General Court are confronted by problems of exceeding difficulty. They are entrusted with solemnizing power, power to promote or to impair the welfare of the Granite State. Help them to listen to one another with open mind and with due regard for the right and the duty of each to hold and to utter his own convictions. Help them to listen to Thee with humble heart and honest purpose. Lifted above all considerations of personal gain or self-indulgence, may Thy servants be led to decisions that shall be acceptable in Thy holy sight. Amen.

The Clerk proceeded to call the roll and 384 members answering to their names, a quorum was declared present.

#### ROCKINGHAM COUNTY.

Atkinson . . . . .	Herbert N. Sawyer.
Brentwood . . . . .	E. Christine Swasey.
Candia . . . . .	Charles F. Fifield.
Chester . . . . .	George L. Fitts.
Danville . . . . .	Richard H. Dickinson.
Deerfield . . . . .	George W. Brown.
Derry . . . . .	Joseph R. Edwards.
	Arthur Greenough.
	Warren M. Hatch.
Epping . . . . .	Louis P. Ladd.
Exeter . . . . .	Arthur J. Conner.
	Willie S. Day.
	Charles C. Russell.
	James A. Tufts.
Greenland . . . . .	Clarence E. Gowen.
Hampstead . . . . .	Frank W. Emerson.
Hampton . . . . .	Charles Francis Adams.
Hampton Falls . . . . .	Arthur W. Brown.
Kensington . . . . .	Everett S. Mace.
Kingston . . . . .	Roland W. Cheney.
Londonderry . . . . .	Wallace P. Mack, Jr.
Newcastle . . . . .	James W. Pridham.
Newmarket . . . . .	Leo J. Turcotte.
	Jonathan Walker.

Newton . . . . .	A. Ralph Estabrook.
North Hampton . . . . .	George L. Seavey.
Northwood . . . . .	Fred C. Giles.
Nottingham . . . . .	John D. Perkins.
Plaistow . . . . .	J. William Peaslee.
Portsmouth—	
Ward 1 . . . . .	Andrew J. Barrett. Edward M. Buckley. Merton A. Drake.
Ward 2 . . . . .	Richard C. Pray. Harold M. Smith. John H. Yeaton.
Ward 3 . . . . .	William Cogan. James R. McNeil.
Ward 4 . . . . .	Simon P. Harmon.
Ward 5 . . . . .	William T. Rose. Charles A. Stevens.
Raymond . . . . .	George W. Purinton.
Rye . . . . .	Newell P. Marden.
Salem . . . . .	Carl Manor.
Seabrook . . . . .	Elihu T. Adams.
Windham . . . . .	Bessie Emerson.

## STRAFFORD COUNTY.

Barrington . . . . .	Warren A. Boyle.
Dover—	
Ward 1 . . . . .	Homer Foster Elder. Fred E. Goodwin. Thomas H. Keenan.
Ward 2 . . . . .	Phidine Dion. William Alvin Grimes. Richard J. Martin.
Ward 3 . . . . .	George E. Buzzell. Maurice N. Layn.
Ward 4 . . . . .	Owen P. Durnin. Francis Clyde Keefe. Harold F. Wiggin.
Ward 5 . . . . .	Edward Durnin.
Durham . . . . .	Oren V. Henderson.

Farmington . . . . .	Joseph Breckinridge.
	Allison E. Tuttle.
Lee . . . . .	William J. Fisher.
Milton . . . . .	Fred B. Roberts.
New Durham . . . . .	Myra J. Jones.
Rochester—	
Ward 1 . . . . .	Thomas H. Gotts.
Ward 2 . . . . .	Henry T. Foss.
	Charles H. Twombly.
Ward 3 . . . . .	Napoleon I. Masse.
Ward 4 . . . . .	Alphonse Lacasse.
	Edmond J. Marcoux.
Ward 5 . . . . .	Justin A. Emery.
Ward 6 . . . . .	Ralph F. Seavey.
	Frank R. Spiers.
Rollinsford . . . . .	George W. Nutter.
Somersworth—	
Ward 1 . . . . .	Placide Lageux.
Ward 2 . . . . .	Anna M. Morin.
Ward 4 . . . . .	Fred A. Houle.
	Thomas J. McGreal.
Ward 5 . . . . .	Adolphe Lapointe.
Strafford . . . . .	Woodbury W. Durgin.

## BELKNAP COUNTY.

Alton . . . . .	Oe Varney.
Barnstead . . . . .	Harry E. Little.
Belmont . . . . .	Fred H. Piper.
Center Harbor . . . . .	Orville P. Smith.
Gilford . . . . .	Ethel J. Hammond.
Gilmanton . . . . .	Curtis H. Page.
Laconia—	
Ward 1 . . . . .	Dana S. Beane.
	Maurice G. Wiley
Ward 2 . . . . .	Alfred L. Guay.
	Joseph Simoneau.
Ward 3 . . . . .	Fred L. Rollins.
Ward 4 . . . . .	Oscar L. Hoyt.
	George C. Stafford.

Ward 5 . . . . .	Arthur R. Merrill.
Ward 6 . . . . .	Frank E. Newell.
Meredith . . . . .	William J. Neal.
	Frank R. Prescott.
New Hampton . . . . .	Vernon C. Harvey.
Sanbornton . . . . .	John S. Wallis.
Tilton . . . . .	Osborn J. Smith.

CARROLL COUNTY.

Bartlett . . . . .	Scott C. W. Simpson.
Conway . . . . .	Burnham B. Davis.
	George W. Russell.
Freedom . . . . .	Charles M. Towle.
Madison . . . . .	Waldron V. Staples.
Moultonborough . . . . .	Edgar S. Goss.
Ossipee . . . . .	Mark H. Winkley.
Sandwich . . . . .	Frank A. Bryer.
Tamworth . . . . .	Harry O. Mason.
Tuftonboro . . . . .	Margaret E. Hunter.
Wakefield . . . . .	Ansel N. Sanborn.
Wolfeboro . . . . .	Stephen W. Clow.
	Harold H. Hart.

MERRIMACK COUNTY.

Allenstown . . . . .	William Gamache.
Andover . . . . .	Daniel M. Welch.
Boscawen . . . . .	Levi P. Fisher.
Bow . . . . .	Fred J. Shedd.
Bradford . . . . .	Joseph H. Trow.
Canterbury . . . . .	Sam S. Conant.
Chichester . . . . .	John L. T. Shaw.
Concord—	
Ward 1 . . . . .	Charles P. Coakley.
	Harry W. Matott.
Ward 2 . . . . .	George A. Hill.
Ward 3 . . . . .	Hugo B. Lindgren.
Ward 4 . . . . .	Albert S. Baker.
	Clarence A. Dubois.
	Louis P. Elkins.

Ward 6 . . . . .	Arthur E. Bean. Donald McLeod. George H. Nash. Arthur F. Sturtevant.
Ward 7 . . . . .	Frederick I. Blackwood. Shirley Brunel.
Ward 8 . . . . .	William A. Lee.
Ward 9 . . . . .	William J. Ahern. Edward B. Haskell.
Danbury . . . . .	Scott N. Ford.
Dunbarton . . . . .	Cyrus C. Wheeler.
Epsom . . . . .	Almon M. Worth.
Franklin—	
Ward 1 . . . . .	George G. Fowler.
Ward 2 . . . . .	Edward F. Laramie. Docite J. Rousseau.
Ward 3 . . . . .	Louis H. Douchinet. James S. Shaw.
Hill . . . . .	Lenne C. Twombly.
Hooksett . . . . .	Joseph B. Drake. Robert H. Stobie.
Hopkinton . . . . .	Neal J. Rice.
Loudon . . . . .	Arthur K. Marston.
New London . . . . .	Charles E. Shepard.
Northfield . . . . .	Edwin R. Caveney.
Pembroke . . . . .	Samuel J. Duford.
Pittsfield . . . . .	Charles H. Gilman. John H. Perkins.
Sutton . . . . .	William L. Chadwick.
Warner . . . . .	Oscar E. Jewell.
Webster . . . . .	Adam E. Mock.
Wilmot . . . . .	John K. Stearns.

## HILLSBOROUGH COUNTY.

Amherst . . . . .	Benjamin F. McNamee.
Antrim . . . . .	Wyman K. Flint.
Bedford . . . . .	Alonzo H. Holbrook.



Bennington . . . . .	Arthur J. Pierce.
Brookline . . . . .	Walter B. Fessenden.
Goffstown . . . . .	George Hambleton. Edward M. Hart. Louis O. Prince.
Greenfield . . . . .	George A. Reynolds.
Greenville . . . . .	Bernadette E. Charois.
Hillsborough . . . . .	George W. Boynton. Bert L. Craine.
Hollis . . . . .	Milton D. Wright.
Hudson . . . . .	George F. Blood. Howard S. Legallee.
Lyndeborough . . . . .	Austin Holt.
Manchester—	
Ward 1 . . . . .	Dana A. Emery. Edward T. Knowlton. Allan M. Wilson.
Ward 2 . . . . .	Henry W. Bergholtz. Perley W. Gage. Victor C. Johnson. Wendell M. McIntire.
Ward 3 . . . . .	John J. Barry. John M. Kendall. Joseph A. Ducharme. John T. Jennings. Joseph A. Nerbonne.
Ward 4 . . . . .	Charles A. Allen. Mary E. Phinney. Henry F. Pillsbury. Herbert E. Richardson.
Ward 5 . . . . .	Frank J. Broderick. William F. Clancy. William F. Kelley. John C. O'Brien. Patrick Sweeney. John S. Trinity.
Ward 6 . . . . .	John J. Bresnahan. Arthur J. Connelly.

Ward 6 . . . . .	John J. O'Connor. John J. Sullivan.
Ward 7 . . . . .	John J. Berry. Francis X. Cote. Francis A. Farrell. John B. Laforest. Emile Lavigne. Alphee J. Peloquin.
Ward 8 . . . . .	John A. Burke. Joseph Chevette. Edward F. Cote. William Henry Craig. Eugene Delisle. Michael S. Donnelly. J. Vincent Moran.
Ward 9 . . . . .	Timothy F. Hayes. Valentine McBride.
Ward 10 . . . . .	Oscar E. Getz. John J. Kearns. James J. Madden. Martin J. McIntyre.
Ward 11 . . . . .	John Barry. Patrick J. Kenney. Bernard T. McLaughlin. Elmer D. Roukey.
Ward 12 . . . . .	Charles A. Caron. George E. Desruisseaux. Louis E. Gauthier. Alpha J. Letendre. Louis J. Soucy.
Ward 13 . . . . .	Almon A. Boisvert. Thomas Ladouceur. Lucien G. Lambert. Charles Lamy. Lionel V. Lesmerises.
Merrimack . . . . .	Edward W. Carter.
Milford . . . . .	Gertrude N. Howison. Fred T. Wadleigh. William Weston.

## Nashua—

Ward 1 . . . . .	Fred A. Barker. Charles M. Foote. Ovid F. Winslow. Charles I. Woodbury.
Ward 2 . . . . .	Karl E. Dowd. Howard F. Hammer.
Ward 3 . . . . .	Frank Boilard. Adelard Dupont. Armand P. Sylvestre.
Ward 4 . . . . .	Austin H. Hogan, Sr. George F. Stevens.
Ward 5 . . . . .	Delphis Chasse. Henry A. Dion. Amedee Plourde.
Ward 6 . . . . .	Joseph A. Bellavance, Jr. Henry M. Burns. Theodore O. Ravenelle.
Ward 7 . . . . .	Carl Lindquist. Frank O. Morse. John F. Wills.
Ward 8 . . . . .	Charles Dionne. William A. Molloy. Aldege A. Noel.
Ward 9 . . . . .	Paul E. Bouthillier.
New Boston . . . . .	Brainard P. Newton.
New Ipswich . . . . .	David Roger.
Pelham . . . . .	Richard H. Currier.
Peterborough . . . . .	Martin J. Keenan. Thomas S. Nichols.
Weare . . . . .	Frank H. Peaslee.
Wilton . . . . .	Harvey W. Frye.

## CHESHIRE COUNTY.

Alstead . . . . .	Robert Brackett.
Chesterfield . . . . .	Moses H. Chickering.
Dublin . . . . .	Arthur T. Appleton.
Fitzwilliam . . . . .	Julius H. Firmin.

Gilsum . . . . .	William B. Hanson.
Harrisville . . . . .	Thomas J. Winn.
Hinsdale . . . . .	Walker S. Kimball.
Jaffrey . . . . .	George A. Adams.
Keene—	
Ward 1 . . . . .	William J. Callahan. Richard C. Carrick. George F. Knowlton. Chandler B. McAllister.
Ward 2 . . . . .	William E. Jones. Nathan C. Sibley.
Ward 3 . . . . .	Leston M. Barrett. Wilder F. Gates.
Ward 4 . . . . .	Marquis O. Spaulding. Clarence A. Wardwell.
Ward 5 . . . . .	John M. Duffy. Michael H. O'Neal.
Marlborough . . . . .	Leon E. Wiswall.
Rindge . . . . .	Harris H. Rice.
Swanzey . . . . .	William R. Granger. Alexander F. Thompson.
Troy . . . . .	Martin L. Clark.
Walpole . . . . .	William H. Fletcher. John W. Graves.
Winchester . . . . .	Winfred C. Burbank.

## SULLIVAN COUNTY.

Acworth . . . . .	Weston O. Kemp.
Charlestown . . . . .	Ada E. Hamlin.
Claremont . . . . .	John W. Dow. Clarence B. Etsler. Earl F. Howe. Aaron King. Albert D. Leahy. Martin Pederson. Charles H. Putnam. Harry F. Rowell. Edward B. Tenney.
Cornish . . . . .	Elwin W. Quimby.

Langdon . . . . .	George A. Holmes.
Newport . . . . .	John J. Condon.
	Charles H. Fairbanks.
	Willis A. Reed.
	Jesse R. Rowell.
Plainfield . . . . .	George C. Barton.
Springfield . . . . .	Seely W. Philbrick.
Sunapee . . . . .	Leo L. Osborne.

## GRAFTON COUNTY.

Alexandria . . . . .	David B. Plumer.
Ashland . . . . .	Sheldon E. Ellis.
Bethlehem . . . . .	Harry A. Goodwin.
Bristol . . . . .	James B. Lidstone.
Campton . . . . .	Lester E. Mitchell.
Canaan . . . . .	Herbert W. Day.
Enfield . . . . .	Isaac H. Sanborn.
Franconia . . . . .	Fred H. Jesseman.
Grafton . . . . .	Charles E. Martin.
Hanover . . . . .	Alfred W. Guyer.
	Daniel O. Hoyt.
	Edgar H. Hunter.
Haverhill . . . . .	Charles A. Butson.
	Ernest E. Craig.
	Frank N. Keyser.
Landaff . . . . .	Roscoe J. Oakes.
Lebanon . . . . .	Charles B. Drake.
	Florence Ward Hoyt.
	Harry Manson.
	Thomas J. McNamara.
	Joseph B. Perley.
Lincoln . . . . .	Sidney F. Downing.
Lisbon . . . . .	George E. Clark.
	Frank S. Kelsea.
Littleton . . . . .	Horace B. Albee.
	Victor H. Gadbois.
	William I. Richardson.
Lyme . . . . .	Earl C. Perkins.
Monroe . . . . .	Richard D. Hall.



Orford . . . . .	Edgar C. Lufkin.
Piermont . . . . .	Earl V. Howard.
Plymouth . . . . .	Elmer E. Huckins.
	John S. Renfrew.
Rumney . . . . .	Arthur L. Verrill.
Warren . . . . .	Robert W. Dunbar.
Wentworth . . . . .	John E. Currier.
Woodstock . . . . .	Harry D. Sawyer.

## COOS COUNTY.

## Berlin—

Ward 1 . . . . .	John F. Bagley.
	Margaret H. Barden.
	Joseph Fred Bell.
	Elisabeth H. Mason.
	Henry A. Smith.
Ward 2 . . . . .	Albert G. Palmer.
	Robert W. Pingree.
	Louis E. Rancourt.
	Edward A. Steady.
Ward 3 . . . . .	Hida C. F. Brungot.
	Fred R. Oleson.
Ward 4 . . . . .	Esther Bixby.
	Letitia Jane Myler.
Carroll . . . . .	Joseph A. Seymour.
Colebrook . . . . .	Edward M. Dickerman.
	Louis Ramsay.
Errol . . . . .	George O. Thurston.
Gorham . . . . .	Louis C. Dube.
	Olie M. George.
Jefferson . . . . .	George D. Roberts.
Lancaster . . . . .	Lula J. A. Morris.
Milan . . . . .	Floyd E. Fogg.
Northumberland . . . . .	Edmond Blais.
	Wayne W. Cole.
Pittsburg . . . . .	Frank W. Baldwin.
Stewartstown . . . . .	E. Fay Flanders.
Stratford . . . . .	Everett C. Brown.
Whitefield . . . . .	Charles L. Pratt.

## LEAVES OF ABSENCE

Mr. Dame of Concord was granted leave of absence for the day on account of important business.

Mr. Shaw of Franklin was granted leave of absence for Tuesday, May 15, on account of important business.

Messrs. Harrington of Lebanon and Woodbury of Salem were granted leave of absence for the remainder of the session on account of illness.

Mr. Skiffington of Manchester was granted leave of absence until further notice on account of important business.

Mr. Boynton of Portsmouth was granted leave of absence for the remainder of the session on account of attending law school.

## RESOLUTIONS

On motion of Mr. Hunter of Hanover:

*Resolved*, That the Honorable Senate be notified that the House of Representatives has assembled in accordance with the proclamation of His Excellency, the Governor, and is now ready to proceed with the business of the session.

On motion of Mr. Wilson of Manchester:

*Resolved*, By the House of Representatives, the Senate concurring, that the joint rules of the last regular session of the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered except that no bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business, shall be received in either branch of the Legislature, unless reported by the Committee on Rules: provided that this rule may be suspended in either house whenever two-thirds of the whole number of members shall, on division, take vote in favor thereof, and not otherwise.

On motion of Mr. Keefe of Dover:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 12:00 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he

may be pleased to make, and for the transaction of such other business as may properly come before the Convention.

On motion of Mr. Pingree of Berlin:

*Resolved*, That the rules of the House for the last session be the rules of the House for the present session until otherwise ordered by the House.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the following concurrent resolution:

*Resolved*, By the House of Representatives, the Senate concurring, that the joint rules of the last regular session of the Legislature be the joint rules of this special session of the Legislature unless otherwise ordered except that no bill, joint resolution, claim outstanding on the first day of the session or petition relating to new business shall be received in either branch of the Legislature unless reported by the Committee on Rules provided that this rule may be suspended in either House whenever two-thirds of the whole number of members shall on division take vote in favor thereof and not otherwise.

The message further announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency the Governor the Senate has assembled and is now ready to proceed with the business of the Special Session.

#### RESOLUTIONS

On motion of Mr. Hart of Wolfeboro:

*Resolved*, That each member of the House of Representatives be required to fill out, sign and deposit with the Clerk of the House, each day upon which he is in attendance at this special session of the Legislature, commencing with May 15, a card to be furnished by the Clerk, and that the Clerk be instructed to make up his roll of attendance for compensation from such cards, and that each member be paid for attend-

ance only for those days for which he has signed and deposited such card with the Clerk, except that every member who is present at the roll call held May 14, or shall notify the Clerk of his attendance prior to adjournment on May 14, shall be entitled to compensation for that day.

On motion of Mr. Leahy of Claremont:

*Resolved*, That unless otherwise ordered, the hours of assembling of the House be at 10 o'clock in the forenoon and 2 o'clock in the afternoon, Eastern Standard Time.

On motion of Mr. McGreal of Somersworth:

*Resolved*, That a committee of three be appointed by the Speaker to make the necessary assignment of rooms for committee hearings.

The Speaker appointed as members of such committee Messrs. Hart of Wolfeboro, McGreal of Somersworth, and Adams of Hampton.

On motion of Mr. Lee of Concord:

*Resolved*, That the Sergeant-at-Arms be instructed to procure a sufficient number of copies of the Manchester Union and the Concord Monitor for distribution of one copy to each member of the House on each working day of the special session.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be notified that the Senate will be ready to meet the House in joint convention at 12:00 o'clock for the purpose of receiving His Excellency the Governor and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

#### IN CONVENTION

The Honorable Senate then came in, and the two branches being in convention, on motion of Senator Heald of District No. 12:

*Resolved*, That a committee of five be appointed to wait

upon His Excellency the Governor and inform him that the Senate and House of Representatives have met in joint convention for the purpose of listening to any communication he may be pleased to make and to escort him to the House.

The Chairman appointed as members of such committee Senators Heald of District No. 12 and Doe of District No. 20 and Messrs. Frye of Wilton, Wallis of Sanbornton and Mollo of Nashua.

#### MESSAGE FROM THE GOVERNOR

His Excellency the Governor then appeared and laid before the convention a verbal message.

On motion of Senator George of District No. 15 the convention rose.

(House)

#### INTRODUCTION OF BILLS

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the introduction of bills from a committee which had not previously been advertised in the Journal.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 489, An act to regulate the traffic in intoxicating liquor, with the recommendation that the bill be referred to the Committees on Judiciary and Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committees on Judiciary and Liquor Laws.

Mr. Wilson of Manchester for the Committee on Rules, reported the following entitled bill, House Bill No. 490, An act to create a State Alcohol Control Authority, with the recommendation that the bill be referred to the Committees on Judiciary and Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committees on Judiciary and Liquor Laws.



## RESOLUTION

On motion of Mr. Hunter of Hanover:

*Resolved:* That the rules of the House be so far suspended as to permit the Committee on Judiciary and the Committee on Liquor Laws to act jointly on all bills pertaining to liquor legislation and, the Senate concurring, that all hearings on these bills be held jointly with the Senate Committee on Judiciary and the Senate Committee on Liquor Laws.

The speaker announced the following appointments to fill vacancies on committees:

Committee on Agriculture, Holt of Lyndeborough; Committee on Appropriations, Ladd of Epping; Committee on Banks, McIntire of Manchester, Sawyer of Woodstock; Committee on Coastwise Improvements, Seavey of North Hampton; Committee on Insurance, Estabrook of Newton; Committee on Labor, McNamara of Lebanon; Committee on State Prison, Hart of Goffstown; Committee on Towns and Counties, Chadwick of Sutton; Committee on Engrossed Bills, Page of Gilmanton.

## RESOLUTIONS

On motion of Mr. Callahan of Keene:

*Resolved,* That all questions touching upon the qualifications of members of the House be referred to the Committee on the Judiciary, and that said committee make its report thereon.

On motion of Mr. Jewel of Warner:

WHEREAS the House has learned with regret of the illness of George M. Woodbury of Salem, a member of this House,

*Therefore be it Resolved,* That the House extend its heartfelt sympathy to said member and its best wishes for a speedy recovery, and *Be it further Resolved,* That the Clerk be instructed to forward a copy of these resolutions to Mr. Woodbury.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House

of Representatives in the passage of the following concurrent resolutions:

*Resolved*, That the Committee on Judiciary and the Committee on Liquor Laws be empowered to act jointly on all bills pertaining to liquor legislation and, the Senate concurring, that all hearings on these bills be held jointly with the Senate Committee on Judiciary and the Senate Committee on Liquor Laws.

#### RESOLUTIONS

On motion of Mr. Russell of Conway:

*Resolved*, That a committee be appointed to prepare resolutions on the death of Arthur R. Shirley of Conway.

The Speaker appointed as members of such committee, Messrs. Russell of Conway, Towle of Freedom, Winkley of Ossipee, Sanborn of Wakefield, Hart of Wolfeboro, Simpson of Bartlett, Mason of Tamworth, Brier of Sandwich, Goss of Moultonborough, Davis of Conway, Clow of Wolfeboro, Staples of Madison and Mrs. Hunter of Tuftonboro.

On motion of Mr. Page of Gilmanton:

*Resolved*, That a committee be appointed to prepare resolutions on the death of Elmer E. Davis of Laconia.

The Speaker appointed as members of such committee, Messrs. Newell of Laconia, Hoyt of Laconia and Little of Barnstead.

On motion of Mr. Huckins of Plymouth:

*Resolved*, That a committee be appointed to prepare resolutions on the death of John H. Perkins of Holderness.

The Speaker appointed as members of such committee, Messrs. Renfrew of Plymouth, Ellis of Ashland, Smith of Center Harbor, Mitchell of Campton and Twombly of Hill.

On motion of Mr. McGreal of Somersworth:

WHEREAS, The House has learned with regret of the illness of Daniel J. Harrigan of Lebanon, a member of this House,

*Therefore be it Resolved*, That the House extend its heartfelt sympathy to said member and its best wishes for a speedy recovery, and *be it further resolved*, that the Clerk be in-

structed to forward a copy of these resolutions to Mr. Harrigan.

On motion of Mr. Hunter of Hanover:

*Resolved*, That the Clerk be instructed to procure 1500 copies of House Bills No. 489 and 490.

On motion of Mr. Wilson of Manchester at 1:15 o'clock the House adjourned until 10 o'clock Eastern Standard Time, Tuesday, May 15th.

---

TUESDAY, MAY 15, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

O Thou who art without beginning of days and whose years shall have no end, before whom nations rise and nations fall, before whom this nation rose out of the wilderness, before whom the proudest of nations may yet go the way of Nineveh and Tyre, we pray that our laws being based upon Thine, may secure to the humblest citizen the liberty that is freedom from all restraint except such as the rights of others may require.

When we call upon Thee to save our State, hear Thou our prayer; leave us not, neither forsake us, O God of our salvation. When Thou dost call upon us to save our State and to work out our own salvation, may we hear Thy call above all others and refuse to forsake the Lord our God. Then shall we make our way prosperous, and then shall we have good success. And Thine shall be the praise through Jesus Christ our Lord. Amen.

#### LEAVES OF ABSENCE

Mr. Young of Laconia was granted leave of absence for the week on account of important business.

Mr. Couturier of Nashua was granted leave of absence until further notice on account of illness.

#### COMMITTEE REPORT

Mr. Wilson of Manchester for the Committee on Judiciary made the following report.

The Committee on the Judiciary having considered the subject of the qualifications of members in accordance with the resolution of the House report as follows:

That the Clerk be informed that Mr. Shirley of Conway, Mr. Perkins of Holderness, and Mr. Davis of Laconia have deceased since the last regular session of the House and that he be instructed to strike their names from the roll.

That the Clerk be informed that Mr. Emery of Auburn and Mr. Doon of Henniker have since the last regular session of the House been appointed to and accepted the office of Judge of a Court and recommend that their names be stricken from the roll.

That the Clerk be informed that Mr. Gagne of Somersworth, Mr. Picard of Derry and Mr. Pettengill of Pembroke, hold office under the United States and recommend that their names be stricken from the roll.

The Committee offered the following resolution.

*Resolved*, That the following names be stricken from the roll of the House:

Arthur R. Shirley, John H. Perkins, of Holderness; Elmer E. Davis, Thomas S. Emery, James W. Doon, Peter M. Gagne, Albert J. Picard, Fred M. Pettengill.

On a *viva voce* vote the resolution was adopted.

#### APPOINTMENTS

The Speaker announced the following appointments to fill vacancies on committees:

Committee on Judiciary, Neal of Meredith; Committee on Fisheries and Game, Sanborn of Enfield; Committee on Transportation, Blandin of Bath; Committee on Liquor Laws, Kearns of Manchester.

#### RESOLUTIONS

Mr. Russell of Conway presented the following resolutions which were unanimously adopted by a rising vote.

WHEREAS, The Supreme Ruler of the Universe in His infinite wisdom has called home our friend and associate, Arthur R. Shirley,

*Be it Resolved*, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship and devoted service, and

*Be it Further Resolved*, That we extend to the bereaved family our deepest and most sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

SCOTT C. W. SIMPSON,  
BURNHAM B. DAVIS,  
GEORGE W. RUSSELL,  
CHARLES M. TOWLE,  
WALDRON V. STAPLES,  
EDGAR S. GOSS,  
MARK H. WINKLEY,  
FRANK A. BRYER,  
HARRY O. MASON,  
MARGARET E. HUNTER,  
ANSEL N. SANBORN,  
STEPHEN W. CLOW,  
HAROLD H. HART,

*Committee on Resolutions.*

Mr. Perley of Lebanon offered the following resolution.

*Resolved*, That all bills relating to the traffic in intoxicating beverages shall be printed under the rule and referred to the Committee of the whole House, the Speaker to designate the chairman thereof; that such Committee shall begin to hold hearings on said bills at ten o'clock, E. S. T. on Tuesday, May 15, and continue as may be necessary; that such bills shall then be referred to the Committee on Liquor Laws and the Committee on the Judiciary, sitting jointly and in executive session, and that they shall report their conclusions to the House at the earliest practicable time.

Resolved, further, that the Honorable Senate be invited to sit with said Committee of the whole and that each Senator shall have the right to interrogate witnesses and otherwise to proceed as if he were a member of the House.

The question being on the resolution.

Mr. Pingree of Berlin rose to a point of order. That the



resolution is not in order, under a previous resolution adopted by the House. The Speaker ruled the point well taken and declared the resolution out of order.

Mr. Perley of Lebanon withdrew his resolution.

Mr. Perley of Lebanon moved that the vote of May 14th, by which all liquor bills were referred to the Committee on Judiciary and the Committee on Liquor Laws be reconsidered.

The question being on the motion of Mr. Perley.

(Discussion ensued)

Mr. Callahan of Keene called for a division.

A division being taken 94 members voted in the affirmative and 208 members voted in the negative and the motion did not prevail.

On motion of Mr. Wilson of Manchester at 10:48 o'clock the rules were suspended and the House adjourned to meet on Wednesday morning at 10:00 o'clock.

The following letter was received from the State Treasurer.

House of Representatives

Hon. Louis I. Elkins, Speaker

State House, Concord, N. H.

*Gentlemen:*

Pursuant to the provisions of the Constitution, when a Special Session is called the members shall receive for attendance \$3.00 per day, for a period not to exceed fifteen (15) days.

I shall be glad to reimburse any or all of the members of the House of Representatives daily for their time, when forwarded to the State Treasurer upon the customary schedule.

Respectfully submitted,

CHARLES T. PATTEN,  
*State Treasurer.*

---

WEDNESDAY, MAY 16, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain, as follows:

Thy favor rest, O Lord, upon our Nation and our State,  
upon our President and our Governor, upon our Congress and

our Legislature. They are all burdened with labors and perplexities demanding more than human wisdom. They are compelled to debate problems which afford abundant opportunity for honest differences of opinion, and no little danger of misjudging the hidden motives of the heart.

Help Thy servants to face the issues still before them with unshaken good-will and unfailing sympathy with their fellow-men toiling to provide for those dependent upon them.

In the midst of all our anxieties and disappointments may we look out upon the fields and the trees of the field, and beholding the beauty of the lilies, dare to believe in the ultimate triumph of the eternal purpose which Thou hast purposed in Christ Jesus. AMEN.

#### LEAVE OF ABSENCE

Mrs. Russell of Concord was granted leave of absence for the remainder of the week on account of illness.

#### PETITION PRESENTED AND REFERRED

By Mr. Fessenden of Brookline a petition of citizens of Brookline protesting against the passage of any law allowing the sale of hard liquor.

Presented and referred to the Committees on Judiciary and Liquor Laws.

#### RESOLUTIONS

Mr. Newell of Laconia presented the following resolutions:

WHEREAS Our Heavenly Father, the all wise Ruler of the Universe, has in His infinite wisdom removed from our midst an esteemed friend and honored member of this General Court of 1933, Elmer E. Davis of Laconia,

Therefore be it

*Resolved*, That we bow in submission to the divine will and hereby express our deep sympathy to the bereaved relatives of our late friend and fellow member.

FRANK E. NEWELL,  
OSCAR L. HOYT,  
HARRY E. LITTLE,  
*Committee on Resolutions.*

The resolutions were unanimously adopted by a rising vote.

Mr. Huckins of Plymouth presented the following resolutions.

WHEREAS this House has learned with sorrow of the death of an associate, John H. Perkins of Holderness, a member of this General Court, be it then

*Resolved*, That we, the members of the New Hampshire House of Representatives hereby attest our appreciation of his character as a loyal son of New Hampshire, and interested in the well-being of his state, and be it

*Further Resolved*, That the Clerk be instructed to transmit a copy of these resolutions to his bereaved family.

ELMER E. HUCKINS,  
JOHN S. RENFREW,  
SHELDON E. ELLIS,  
ORVILLE P. SMITH,  
LESTER E. MITCHELL,  
LENNE C. TWOMBLY.

The resolutions were unanimously adopted by a rising vote.

#### BILL READ AND REFERRED

On motion of Mr. Wilson of Manchester the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Pingree of Berlin for the Committee on Rules, reported the following entitled bill, House Bill No. 491, An act authorizing and regulating the manufacture, transportation, sale, importation, and exportation of all alcoholic beverages, with the recommendation that the bill be referred to the Committee on Judiciary and the Committee on Liquor Laws.

The report was accepted, the bill read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary and Liquor Laws.

On motion of Mr. Kearns of Manchester the Clerk was instructed to procure 1500 copies of the above bill.

On motion of Mr. Keefe of Dover at 10:58 o'clock the

rules were suspended and the House adjourned to meet on Thursday morning at 10 o'clock.

---

## THURSDAY, MAY 17, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

Lord, teach us to pray. Teach us how to pray, that we may not draw nigh unto Thee with our lips while our hearts are far from Thee.

Teach us what not to pray for; not for ease or revenue, or exemption from responsibility.

Teach us what to pray for when economic considerations, moral issues and the hopes and fears of a thousand fathers and mothers are dependent upon our decision. Help us to seek above all things else, sincerity, vision and breadth of vision, devotion to the common weal, unfeigned and unswerving.

Teach us that prayer is an essential factor, but only one factor in the attainment of that which is most to be desired, that whatsoever we ask in Thy name we shall receive, but that whatsoever a man soweth that shall he also reap. AMEN.

## RESOLUTIONS

On motion of Mr. Pingree of Berlin:

*Resolved*, That the Clerk be directed to procure 1500 copies of the report of the Committees on Judiciary and on Liquor Laws for distribution on Monday, May 21.

On motion of Mr. Lee of Concord:

*Resolved*, That when the House adjourns this morning it be to meet tomorrow morning at 9 o'clock and when it then adjourn to meet on Monday morning at 11:00 o'clock.

On motion of Mr. Simpson of Bartlett at 10:40 o'clock the House adjourned.

FRIDAY, MAY 18, 1934.

The House met at 9 o'clock according to adjournment.

Prayer was offered by Rev. Daniel A. Poling of Deering.

On motion of Mrs. Hammond of Gilford at 9:20 o'clock the House adjourned.

MONDAY, MAY 21, 1934.

The House met at 11 o'clock.

Prayer was offered by the Chaplain as follows:

Heavenly Father, make us grateful that Thy servants gather here as the representatives of a self-governing people, that no tyrant commands them to obey. May they be mindful that such freedom has its perils.

Guide them as they seek to solve the most difficult problem that ever occupies the human mind; how men with clashing interests and conflicting aims may be led to think alike, to choose as one, to work together for the good of all.

Grant them calmness and poise, unerring judgment and unsullied motives, that through the influence of home and school and church and state, the character of its citizens may become the crowning glory of New Hampshire. In the name of the Christ we ask it. AMEN.

## LEAVES OF ABSENCE

Mr. Fitts of Chester was granted leave of absence for the day on account of illness.

Mr. Duncan of Jaffrey was granted leave of absence for the remainder of the session on account of important business.

## PETITIONS PRESENTED AND REFERRED

By Mr. Gage of Manchester. Petition of citizens of Litchfield protesting against any change in the liquor laws.

By Mrs. Swasey of Brentwood. Petition of Meredith-Sandwich Baptist Association protesting against any change in the liquor law.

Severally presented and referred to the Special Committees on Judiciary and Liquor Laws.



## COMMITTEE APPOINTMENTS

The Speaker announced the following appointments to fill vacancies.

Committee on Judiciary, Mr. Flint of Antrim; Committee on Laconia State School, Mrs. Charois of Greenville; Committee on Military Affairs, Mr. Rice of Hopkinton.

## COMMITTEE REPORTS

On motion of Mr. Baker of Concord the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Baker of Concord, for the Special Committee consisting of the Committees on Judiciary and Liquor Laws, to whom was referred House Bill No. 491, An act authorizing and regulating the manufacture, transportation, sale, importation, and exportation of all alcoholic beverages, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The undersigned, a minority of the Special Committee consisting of the Committees on Judiciary and Liquor Laws, to whom was referred House Bill No. 491, An act authorizing and regulating the manufacture, transportation, sale, importation, and exportation of all alcoholic beverages, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

MICHAEL H. O'NEIL,  
CHARLES DIONNE,  
JOHN J. KEARNS,

*A minority of the Committee.*

Amend the printed bill by striking out in lines 94 and 95 on page 6 the words and figures "Five Thousand Dollars (\$5,000)" and inserting in place thereof the words and figures, Four Thousand Dollars (\$4,000).

Further amend said printed bill by adding after line 108 on page 7, the following paragraph: *Applicant's Bond*. As conditions precedent to the issuing of any license under the

provisions of this act the person applying therefor shall give bond to the commission, in a penal sum in such amount as the licensing authority shall request with at least two sureties satisfactory to the commission, to whom application shall be made which sureties shall be residents of this state or a surety company authorized to do business in this state as surety, which bond shall be conditioned that the licensee will not violate or suffer to be violated on any licensed premises under his control any of the provisions of this act.

Further amend said printed bill by striking out in lines 137 and 138 on page 8 the words and figures "One Hundred Dollars (\$100.00)", and inserting in place thereof the following: Six Hundred Dollars (\$600.00).

Further amend said printed bill by striking out in lines 151 and 152 on page 9 the words and figures "One Hundred Dollars (\$100.00)", and inserting in place thereof the following: Three Hundred Dollars (\$300.00).

Further amend said printed bill by adding at the end of line 159 on page 10, the following sentence: The annual fee for such permit shall be Twenty-five Dollars (\$25.00).

Further amend said printed bill by striking out in lines 309 and 310 on page 18 the words "But no alcoholic beverages can be sold before 6 a.m. or later than 11:30 p.m."; and by striking out in lines 313 and 314 on said page 18 the words "nor can liquor be sold before the hours of 6 a.m. or after 12 p.m."

Further amend said printed bill by adding after line 364 on page 20 the following paragraph: Provided nevertheless is shall be lawful for hotels to serve alcoholic beverages to bona fide guests in any city or town that does not accept the provisions of this act.

Mr. Dionne of Nashua moved that the report of the minority be substituted for that of the majority and with this motion pending, moved that the bill and the accompanying reports be laid upon the table and made a special order for Tuesday, May 22, at 10:01 o'clock.

The question being on the motion.

(Discussion ensued as to time)

On a *viva voce* vote the motion prevailed.

On motion of Mr. McGreal of Somersworth, at 11:30 o'clock the rules were suspended and the House adjourned to meet on Tuesday morning at 10 o'clock.

---

TUESDAY, MAY 22, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

Father, we pray as Thou hast taught us. Lead us not into temptation. Suffer us not to place temptation in the path of any man or boy. Deliver us from evil, above all from doing evil.

If ever we are confused in our thinking, if ever we fail to choose the wisest method, may we never fail to be prompted by the highest motive.

May we make it our overmastering purpose that no thought of self-interest shall ever impair our sense of justice or imperil our neighbor's welfare.

Send forth Thy light and Thy truth and let them lead us, that the day may never come when either our ambition or unwisdom shall cause a fellow-man to fall. AMEN.

LEAVES OF ABSENCE

Mr. Knowlton of Keene was granted leave of absence for the day on account of attending a funeral.

Mr. Albee of Littleton was granted leave of absence for the day on account of illness in family.

SPECIAL ORDER

Mr. Dionne of Nashua called for the special order House Bill No. 491, An act authorizing and regulating the manufacture, transportation, sale, importation and exportation of all alcoholic beverages.

A majority of the Special Committee consisting of the Committees on Judiciary and Liquor Laws reported that it is inexpedient to legislate.

A minority of the committee reported that the bill ought to pass with an amendment.

The question being.

Shall the report of the minority be substituted for the report of the majority?

Mr. Callahan of Keene rose to make a parliamentary inquiry that the parliamentary situation was not clearly stated.

The Speaker stated the parliamentary situation.

(Discussion ensued)

Mr. Molloy of Nashua made the point of order that the member speaking was not discussing the matter before the House.

The Speaker ruled the point well taken.

(Discussion ensued)

Mr. Blackwood of Concord moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being.

Shall the report of the minority be substituted for the report of the majority?

Mr. Dionne of Nashua called for a division.

A division being taken 109 members voted in the affirmative and 248 members voted in the negative and the motion did not prevail.

Mr. Clancy of Manchester demanded the yeas and nays.

Mr. Dickinson of Danville moved that the House adjourn.

Mr. O'Brien of Manchester demanded the yeas and nays on the motion to adjourn.

Mr. Dickinson of Danville withdrew his motion to adjourn.

The question being.

Shall the report of the minority be substituted for the report of the majority?

The yeas and nays having been demanded the roll was called with the following result.

YEAS 105

ROCKINGHAM COUNTY: Pridham, Turcotte, Walker, Estabrook, Barrett of Portsmouth, Cogan, McNeil, Stevens of Portsmouth.

STRAFFORD COUNTY: Dion of Dover, Durnin of Dover, Ward 3, Masse, Lacasse, Marcoux, Lagueux, Morin, Houle, McGreal, Lapointe.

BELKNAP COUNTY: Guay, Simoneau.

MERRIMACK COUNTY: Conant, Rousseau, Duford.

HILLSBOROUGH COUNTY: Pierce, Emery of Manchester, Knowlton of Manchester, McIntire of Manchester, Barry of Manchester, Ward 3, Kendall, Ducharme, Broderick, Clancy, Kelley, O'Brien, Sweeney, Trinity, Bresnahan, Connelly, O'Connor, Sullivan, Berry, Farrell, Laforest, Lavigne, Peloquin, Burke, Chevette, Craig of Manchester, Delisle, Donnelly, Moran, Hayes, McBride, Kearns, Madden, McIntyre of Manchester, Ward 10, McLaughlin, Roukey, Caron, Desruisseaux, Gauthier, Letendre, Soucy, Boisvert, Ladouceur, Lambert, Lamy, Lesmerises, Dowd, Hammar, Boilard, Dupont, Sylvestre, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellavance, Burns, Ravenelle, Lindquist, Morse, Wills, Dionne of Nashua, Ward 8, Glynn, Molloy, Noel, Bouthillier, Newton, Keenan of Peterborough.

CHESHIRE COUNTY: Sibley, O'Neal.

COOS COUNTY: Bagley, Barden, Bell, Mason of Berlin, Smith of Berlin, Palmer, Pingree, Rancourt, Steady, Myler, Blais, Cole.

#### NAYS 267

ROCKINGHAM COUNTY: Sawyer of Atkinson, Swasey, Field, Fitts, Dickinson, Brown of Deerfield, Edwards, Greenough, Hatch, Ladd, Conner, Day of Exeter, Russell of Exeter, Gowen, Adams of Hampton, Brown of Hampton Falls, Mace, Cheney, Mack, Seavey of North Hampton, Giles, Perkins of Nottingham, Peaslee of Plaistow, Drake of Portsmouth, Smith of Portsmouth, Yeaton, Harmon, Rose, Purinton, Marden, Manor, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Boyle, Elder, Goodwin of Dover, Keenan of Dover, Grimes, Martin of Dover, Buzzell, Keefe, Wiggin, Durnin of Dover, Ward 5, Henderson, Breckenridge, Tuttle, Fisher of Lee, Roberts of Milton, Jones of New



Durham, Gotts, Foss, Twombly of Rochester, Emery of Rochester, Seavey of Rochester, Spiers, Nutter, Durgin.

BELKNAP COUNTY: Varney, Little, Piper, Smith of Center Harbor, Hammond, Page, Wiley, Rollins, Hoyt of Laconia, Stafford, Merrill of Laconia, Young, Newell, Neal, Prescott, Harvey, Wallis, Smith of Tilton.

CARROLL COUNTY: Davis of Conway, Russell of Conway, Towle, Staples, Goss, Winkley, Bryer, Mason of Tamworth, Clow.

MERRIMACK COUNTY: Gamache, Welch, Fisher of Boscawen, Shedd, Trow, Shaw of Chichester, Coakley, Matott, Hill, Lindgren, Baker, DuBois, Dame, Bean of Concord, McLeod, Nash, Sturtevant, Blackwood, Brunel, Lee, Ahern, Haskell, Ford, Wheeler, Worth, Fowler, Laramie, Doupnett, Shaw of Franklin, Twombly of Hill, Drake of Hooksett, Stobie, Rice of Hopkinton, Marston, Shepard, Caveney, Gilman, Perkins of Pittsfield, Chadwick, Jewell, Mock.

HILLSBOROUGH COUNTY: McNamee, Flint, Holbrook, Fessenden, Hambleton, Hart of Goffstown, Prince, Reynolds, Charois, Boynton of Hillsborough, Craine, Wright, Blood, Legallee, Holt, Greer, Bergholtz, Gage, Johnson, Jennings, Nerbonne, Allen, Phinney, Pillsbury, Richardson of Manchester, Cote of Manchester, Ward 7, Cote of Manchester, Ward 8, Barry of Manchester, Ward 11, Carter, Howison, Wadleigh, Weston, Barker, Foote, Winslow, Woodbury of Nashua, Roger, Currier of Pelham, Nichols, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Firmin, Hanson, Winn, Kimball, Adams of Jaffrey, Callahan, McAllister, Jones of Keene, Barrett of Keene, Gates, Spaulding, Wardwell, Duffy, Wiswall, Rice of Rindge, Granger, Clark of Troy, Fletcher, Graves, Burbank of Winchester, Kellom.

SULLIVAN COUNTY: Kemp, Hamlin, Dow, Etsler, Howe, King, Leahy, Pederson, Putnam, Rowell of Claremont, Tenney, Quimby, Holmes, Condon, Fairbanks, Reed, Barton, Philbrick, Osborne.

GRAFTON COUNTY: Plumer, Ellis, Blandin, Goodwin of

Bethlehem, Lidstone, Mitchell, Day of Canaan, Sanborn of Enfield, Jesseman, Martin of Grafton, Guyer, Hoyt of Hanover, Hunter of Hanover, Butson, Craig of Haverhill, Keyser, Oakes, Drake of Lebanon, Hoyt of Lebanon, Manson, McNamara, Perley, Downing, Clark of Lisbon, Kelsea, Gadbois, Mooney, Richardson of Littleton, Perkins of Lyme, Hall, Lufkin, Howard, Huckins, Renfrew, Verrill, Merrill of Thornton, Dunbar, Currier of Wentworth, Sawyer of Woodstock.

COOS COUNTY: Brungot, Oleson, Bixby, Seymour, Dickerman, Ramsay, Tillotson, Thurston, Dube, George, Roberts of Jefferson, Morris, Fogg, Baldwin, Flanders, Brown of Stratford, Pratt.

The question being on the resolution reported by the committee that it be inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

#### COMMITTEE REPORT

On motion of Mr. Baker of Concord the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the Journal.

Mr. Baker of Concord for the Special Committee consisting of the Committees on Judiciary and Liquor Laws, to whom was referred House Bill No. 489, An act to regulate the traffic in intoxicating liquor, reported the same in a new draft with the recommendation that the bill in its new draft ought to pass.

The report was accepted.

The undersigned, a minority of the Special Committee consisting of the Committees on Judiciary and Liquor Laws, to whom was referred House Bill No. 489, An act to regulate the traffic in intoxicating liquor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM J. CALLAHAN,  
JULIUS H. FIRMIN,  
WILLIAM WESTON,  
GEO. W. BROWN,  
JAMES S. KELLUM,  
ETHEL J. HAMMOND,  
JAMES S. SHAW,  
C. H. FAIRBANKS,  
MARGARET E. HUNTER,

*A minority of the Committee.*

The undersigned, a minority of the special committee consisting of the Committees on Judiciary and Liquor Laws, to whom was referred House Bill No. 489, An act to regulate the traffic in intoxicating liquor, being unable to agree with the majority or the previous minority, reported the same in another new draft with the recommendation that the bill in its new draft ought to pass.

THOMAS J. MCGREAL,  
ALBERT D. LEAHY,  
JOHN J. KEARNS,  
CHARLES DIONNE,

*A minority of the Committee.*

Mr. Kearns of Manchester moved that the report of the minority signed by himself and others be substituted for the report of the majority.

The question being on the motion of Mr. Kearns of Manchester.

(Discussion ensued)

Mr. Hunter of Hanover in the Chair.

(Discussion ensued)

The Speaker in the Chair.

Mr. Dow of Claremont moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being.

Shall the report of the minority signed by Mr. Kearns of

Manchester and others be substituted for the report of the majority?

Mr. Leahy of Claremont called for a division.

A division being had 157 members voted in the affirmative and 178 members voted in the negative and the motion to substitute did not prevail.

Mr. Leahy of Claremont demanded the yeas and nays.

Mr. Dickinson of Danville moved that the House adjourn.

Mr. Leahy of Claremont demanded the yeas and nays but subsequently withdrew his demand.

Mr. Dickinson of Danville withdrew his motion to adjourn.

Mr. Leahy of Claremont having demanded the yeas and nays on the motion to substitute the report of the minority for that of the majority the roll was called with the following result.

#### YEAS 155

ROCKINGHAM COUNTY: Hatch, Pridham, Turcotte, Walker, Peaslee of Plaistow, Barrett of Portsmouth, Pray, Smith of Portsmouth, Yeaton, Cogan, McNeil, Harmon, Rose.

STRAFFORD COUNTY: Boyle, Dion of Dover, Martin of Dover, Durnin of Ward 3, Dover, Wiggin, Masse, Lacasse, Marcoux, Seavey of Rochester, Lagueux, Morin, Houle, McGreal, Lapointe.

BELKNAP COUNTY: Wiley, Simoneau, Stafford.

MERRIMACK COUNTY: Gamache, Matott, Lindgren, DuBois, Ahern, Haskell, Laramie, Caveney, Duford, Gilman.

HILLSBOROUGH COUNTY: Pierce, Charois, Emery of Manchester, Knowlton of Manchester, Bergholtz, McIntire of Manchester, Ward 3, Barry of Manchester, Ward 3, Kendall, Ducharme, Broderick, Clancy, Kelley, O'Brien, Sweeney, Trinity, Bresnahan, Connelly, O'Connor, Sullivan, Berry, Cote of Manchester, Ward 7, Farrell, Laforest, Lavigne, Peloquin, Burke, Cote of Manchester, Ward 8, Craig of Manchester, Delisle, Donnelly, Chevrette, Moran, McBride, Getz, Kearns, Madden, McIntyre of Manchester, Ward 10, Barry of Manchester, Ward 11, McLaughlin, Roukey, Caron, Desruisseaux, Gauthier, Letendre, Soucy, Boisvert, Ladou-

ceur, Lambert, Lamy, Lesmerises, Foote, Dowd, Hammar, Boilard, Dupont, Sylvestre, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellavance, Burns, Ravenelle, Lindquist, Wills, Dionne of Nashua, Ward 8, Glynn, Molloy, Noel, Bouthillier, Keenan of Peterborough, Nichols.

CHESHIRE COUNTY: Winn, Kimball, Sibley, O'Neal.

SULLIVAN COUNTY: Dow, Howe, Leahy, Pederson, Putnam, Tenney, Condon, Osborne.

GRAFTON COUNTY: Mitchell, Martin of Grafton, Oakes, Hoyt of Lebanon, Manson, McNamara, Perley, Dunbar, Currier of Wentworth.

COOS COUNTY: Bagley, Barden, Smith of Berlin, Palmer, Pingree, Rancourt, Steady, Brungot, Oleson, Bixby, Myler, Seymour, Dickerman, Ramsay, Thurston, Dube, Roberts of Jefferson, Blais, Cole, Brown of Stratford.

#### NAYS 191

ROCKINGHAM COUNTY: Sawyer of Atkinson, Swasey, Field, Dickinson, Brown of Deerfield, Edwards, Ladd, Conner, Day of Exeter, Russell of Exeter, Gowen, Adams of Hampton, Brown of Hampton Falls, Mace, Cheney, Mack, Estabrook, Seavey of North Hampton, Giles, Perkins of Nottingham, Purinton, Manor, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Elder, Goodwin of Dover, Keenan of Dover, Grimes, Buzzell, Keefe, Durnin of Dover, Ward 5, Henderson, Breckenridge, Tuttle, Fisher of Lee, Roberts of Milton, Jones of New Durham, Gotts, Foss, Emery of Rochester, Spiers, Nutter, Durgin.

BELKNAP COUNTY: Varney, Little, Piper, Smith of Center Harbor, Hammond, Page, Guay, Rollins, Hoyt of Laconia, Merrill of Laconia, Young, Newell, Neal, Prescott, Wallis, Smith of Tilton.

CARROLL COUNTY: Simpson, Davis of Conway, Russell of Conway, Towle, Staples, Winkley, Bryer, Mason of Tamworth, Clow, Hart of Wolfeboro.

MERRIMACK COUNTY: Welch, Fisher of Boscawen, Shedd,



Coakley, Hill, Baker, Dame, Bean of Concord, McLeod, Sturtevant, Blackwood, Brunel, Lee, Ford, Wheeler, Worth, Shaw of Franklin, Twombly of Hill, Drake of Hooksett, Stobie, Rice of Hopkinton, Marston, Perkins of Pittsfield, Chadwick, Jewell.

HILLSBOROUGH COUNTY: Reynolds, McNamee, Holbrook, Fessenden, Hambleton, Hart of Goffstown, Prince, Boynton of Hillsborough, Craine, Wright, Blood, Legallee, Holt, Greer, Gage, Johnson, Jennings, Nerbonne, Allen, Phinney, Pillsbury, Carter, Howison, Wadleigh, Weston, Barker, Winslow, Woodbury of Nashua, Roger, Currier of Pelham, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Firmin, Hanson, Adams of Jaffrey, Callahan, Jones of Keene, Barrett of Keene, Gates, Spaulding, Duffy, Wiswall, Rice of Rindge, Granger, Thompson, Clark of Troy, Fletcher, Graves, Burbank of Winchester, Kellom.

SULLIVAN COUNTY: Kemp, Hamlin, Rowell of Claremont, Quimby, Holmes, Fairbanks, Reed, Barton, Philbrick.

GRAFTON COUNTY: Plumer, Ellis, Blandin, Goodwin of Bethlehem, Lidstone, Day of Canaan, Sanborn of Enfield, Jesseman, Guyer, Hoyt of Hanover, Hunter of Hanover, Butson, Craig of Haverhill, Keyser, Downing, Clark of Lisbon, Kelsea, Richardson of Littleton, Perkins of Lyme, Hall, Lufkin, Howard, Huckins, Renfrew, Verrill, Merrill of Thornton, Sawyer of Woodstock.

COOS COUNTY: Tillotson, George, Morris, Fogg, Baldwin, Flanders, Pratt.

Mr. Buckley of Portsmouth, voting Yes, paired with Mr. Stearns of Wilmot, voting No.

And the motion to substitute did not prevail.

Mr. Callahan of Keene moved that the report of the minority signed by himself and others be substituted for the report of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Pingree of Berlin made the point of order that the member speaking was not discussing the question.

The Speaker ruled the point not well taken.

Mr. Keefe of Dover moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being.

Shall the report of the minority signed by Mr. Callahan of Keene and others be substituted for the report of the majority?

Mr. Callahan of Keene called for a division.

A division being had 59 members voted in the affirmative and 258 members voted in the negative and the motion to substitute did not prevail.

The bill was then referred to the Committee on Appropriations under the rules.

Mr. Hunter of Hanover moved that the rules be suspended so as to obviate the necessity of public hearings.

The question being on the motion of Mr. Hunter.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

On motion of Mr. Keefe of Dover at 1:57 o'clock the rules were suspended and the House adjourned to meet on Wednesday morning at 10 o'clock.

---

WEDNESDAY, MAY 23, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

Father, we pray for wisdom and fidelity that we may understand our duty and do it. Help us to remember that this is not a religious body, that while we open our sessions with prayer, we have no authority to legislate on what we may believe to be Thy will. We pray that Christian church and the Christian home may be wise and faithful in the discharge of that duty. May we remember also that we are not here to dictate what the citizens of New Hampshire ought to desire. They are not our servants; we are theirs. Insofar as we understand their desire may we be led of Thee in the application of those governing principles upon which we do

agree to those methods of procedure upon which we must agree.

We thank Thee that our appeal is not to violence, but to the calm deliberation of reasonable men and women.

Forbid that we should seek to impose the will of a minority upon the people. Grant us grace as loyal fellow-citizens to accept the judgment of the majority concerning the methods by which we may best protect the rights of the individual and the honor of this goodly State. AMEN.

#### LEAVE OF ABSENCE

Mr. Brown of Deerfield was granted leave of absence for Thursday afternoon, May 24th, on account of attending a funeral.

#### RECONSIDERATION

Mr. Foss of Rochester moved that the vote taken on Tuesday May 22, whereby the House refused to adopt the report of a minority of the Special Committee consisting of the Committee on Judiciary and the Committee on Liquor Laws signed by Mr. McGreal of Somersworth and others on House Bill No. 489, be reconsidered.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. O'Brien of Manchester demanded the yeas and nays and the roll was called with the following result:

#### YEAS 150

ROCKINGHAM COUNTY: Dickinson, Greenough, Hatch, Pridham, Turcotte, Walker, Barrett of Portsmouth, Pray, Smith of Portsmouth, Yeaton, Cogan, McNeil, Stevens of Portsmouth, Marden, Adams of Seabrook.

STRAFFORD COUNTY: Dion of Dover, Martin of Dover, Layn, Durnin of Ward 3, Dover, Diggin, Durnin of Ward 5, Dover, Foss, Masse, Lacasse, Marcoux, Seavey of Rochester, Lagueux, Morin, Houle, McGreal, Lapointe.

BELKNAP COUNTY: Wiley, Simoneau, Stafford.

CARROLL COUNTY: Towle.

MERRIMACK COUNTY: Gamache, Conant, Matott, DuBois, Ahern, Haskell, Laramie, Rousseau, Douchinett, Duford.

HILLSBOROUGH COUNTY: Holbrook, Pierce, Charois, Emery of Manchester, Knowlton of Manchester, Bergholtz, McIntire of Manchester, Barry of Manchester, Ward 3, Kendall, Ducharme, Clancy, Kelley, O'Brien, Sweeney, Trinity, Bresnahan, O'Connor, Berry, Cote of Manchester, Ward 7, Farrell, Peloquin, Burke, Chevrette, Cote of Manchester, Ward 8, Craig of Manchester, Delisle, Moran, McBride, Kearns, Madden, Barry of Manchester, Ward 11, McLaughlin, Roukey, Caron, Desruisseaux, Gauthier, Letendre, Soucy, Boisvert, Ladouceur, Lambert, Lamy, Lesmerises, Dowd, Hammar, Boilard, Dupont, Sylvestre, Hogan, Stevens of Nashua, Dion of Nashua, Ward 5, Plourde, Bellavance, Burns, Ravenelle, Lindquist, Morse, Wills, Dionne of Nashua, Ward 8, Glynn, Molloy, Noel, Bouthillier, Keenan of Peterborough, Nichols.

CHESHIRE COUNTY: Brackett, Kimball, Sibley, Fletcher.

SULLIVAN COUNTY: Howe, Leahy, Pederson, Putnam, Tenney, Condon, Osborne.

GRAFTON COUNTY: Mitchell, Martin of Grafton, Oakes, Manson, McNamara, Perley, Dunbar, Currier of Wentworth.

COOS COUNTY: Bagley, Barden, Bell, Mason of Berlin, Smith of Berlin, Palmer, Pingree, Steady, Brungot, Oleson, Bixby, Myler, Seymour, Thurston, Dube, Roberts of Jefferson, Blais, Cole, Flanders, Brown of Stratford.

#### NAYS 201

ROCKINGHAM COUNTY: Sawyer of Atkinson, Swasey, Field, Fitts, Brown of Deerfield, Edwards, Ladd, Day of Exeter, Russell of Exeter, Tufts, Gowen, Emerson of Hampstead, Adams of Hampton, Brown of Hampton Falls, Mace, Mack, Estabrook, Seavey of No. Hampton, Giles, Perkins of Nottingham, Peaslee of Plaistow, Harmon, Rose, Purinton, Manor, Emerson of Windham.

STAFFORD COUNTY: Boyle, Elder, Goodwin of Dover, Keenan of Dover, Grimes, Buzzell, Keefe, Henderson, Breckenridge, Tuttle, Fisher of Lee, Roberts of Milton, Jones of

New Durham, Gotts, Twombly of Rochester, Spiers, Nutter, Durgin.

BELKNAP COUNTY: Varney, Little, Piper, Smith of Center Harbor, Page, Rollins, Hoyt of Laconia, Merrill of Laconia, Newell, Neal, Prescott, Harvey, Wallis, Smith of Tilton.

CARROLL COUNTY: Simpson, Russell of Conway, Staples, Goss, Winkley, Bryer, Mason of Tamworth, Sanborn of Wakefield, Clow.

MERRIMACK COUNTY: Fisher of Boscawen, Shedd, Trow, Shaw of Chichester, Coakley, Hill, Lindgren, Baker, Dame, Bean of Concord, McLeod, Nash, Sturtevant, Blackwood, Brunel, Russell of Concord, Lee, Ford, Wheeler, Worth, Fowler, Shaw of Franklin, Twombly of Hill, Drake of Hooksett, Stobie, Rice of Hopkinton, Marston, Shepard, Caveney, Gilman, Perkins of Pittsfield, Jewell, Mock, Stearns.

HILLSBOROUGH COUNTY: McNamee, Flint, Fessenden, Hambleton, Hart of Goffstown, Prince, Reynolds, Boynton of Hillsborough, Craine, Wright, Blood, Holt, Gage, Johnson, Jennings, Nerbonne, Allen, Phinney, Pillsbury, Richardson of Manchester, Carter, Howison, Wadleigh, Weston, Baker, Foote, Winslow, Woodbury of Nashua, Chasse, Newton, Roger, Currier of Pelham, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Chickering, Appleton, Firmin, Hanson, Winn, Adams of Jaffrey, Callahan, Knowlton of Keene, McAllister, Jones of Keene, Gates, Wardwell, Duffy, Wiswall, Rice of Rindge, Granger, Clark of Troy, Graves, Burbank of Winchester, Kellom.

SULLIVAN COUNTY: Kemp, Hamlin, Etsler, Rowell of Claremont, Quimby, Holmes, Fairbanks, Reed, Rowell of Newport, Barton, Philbrick.

GRAFTON COUNTY: Plumer, Ellis, Blandin, Goodwin of Bethlehem, Lidstone, Day of Canaan, Sanborn of Enfield, Jesseman, Guyer, Hoyt of Hanover, Hunter of Hanover, Butson, Craig of Haverhill, Keyser, Drake of Lebanon, Downing, Clark of Lisbon, Kelsea, Gadbois, Mooney, Richardson of Littleton, Perkins of Lyme, Lufkin, Howard, Huckins, Renfrew, Verrill, Merrill of Thornton, Sawyer of Woodstock.



Coos County: Dickerman, George, Morris, Fogg, Baldwin, Pratt.

and the motion to reconsider did not prevail.

Mr. Baker of Concord explained several typographical errors in House Bill No. 489 as printed.

#### COMMITTEE REPORT

Mr. Osborne of Sunapee for the Committee on Appropriations to whom was referred House Bill No. 489 (in new draft), An act to regulate the traffic in intoxicating liquor, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass. References are to the printed bill.

Amend said bill by striking out the word "board" wherever it occurs and substituting in place therefor the word commission.

Amend subsection IV of Section 1 by striking out the whole thereof and substituting in place therefor the following: IV. "Commission", State Liquor Commission.

Amend Section 2 by striking out the whole thereof and substituting in place therefor the following. 2. *The Commission.* Within ten days from the passage of this act, the Governor, with the advice and consent of the council, shall appoint a State Liquor Commission consisting of three commissioners, not more than two of whom shall belong to the same political party, who shall hold office for the term of one, two and three years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said commission shall be appointed in the month of May of each year for a term of three years from the first Monday in June next ensuing. If a vacancy shall occur in said commission it shall be filled for the remainder of the term. The chairman of the commission shall be appointed and commissioned as such. The annual salary of the chairman of said commission shall be forty-five hundred dollars per annum; and the salaries of the other two members of the commission, who

shall serve part time, shall be twenty-five hundred dollars each per annum. The commissioners shall receive their necessary expenses while traveling in the performance of their duties. The compensation and expenses of the commissioners and the expenses of the administration of the act shall be paid by the state on the warrant of the governor with the approval of the council. No member of said commission shall be directly or indirectly interested in the liquor or beer business. Each member of the commission shall execute and file with the secretary of state a bond to the state in the sum of ten thousand dollars (\$10,000.00) with sureties approved by the governor and council, conditioned for the faithful performance of duty.

Amend Section 11 by inserting after the word "buy" in line 2 the words "upon requisition through the office of the state purchasing agent," so that said section as amended shall read as follows: 11. *Commission to Sell.* It shall be the duty of the Commission to buy upon requisition through the office of the state purchasing agent, and have in its possession for sale and disposal, liquor in the manner set forth in this act to state stores, and other persons authorized to sell under the provisions of this act. Such liquors shall be free from adulteration and misbranding within the meaning of the provisions of Chapter 139 of the Public Laws. All liquors sold for medicinal use shall conform to the standards and tests for such liquors as laid down in the United States Pharmacopoeia, official at the time of sale.

Amend Section 12 by striking out the words "plus a state tax" in line 11 and inserting in place thereof the words, plus an additional charge, so that said section as amended shall read as follows:

12. *Packages.* All liquor sold in state stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the commission, containing such quantity as said commission shall prescribe; and the commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be suffi-

cient to pay for the cost of the liquor purchased, plus the operating expenses of the state stores, plus a proportionate part of the overhead expenses of the commission, plus an additional charge, all to be determined by the commission. Each package shall have the price fixed by the commission stamped clearly thereon. Each purchaser of liquor from a state store or a sales agent shall sign a requisition therefor in such form as the commission shall prescribe. Said commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time. Liquor sold in a state store shall not be consumed in any public place.

Amend Section 33 by striking out the whole thereof and inserting in its place the following:

33. *Funds.* The Governor and council are hereby authorized to issue short term notes or to loan monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. All net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be covered in the special fund constituted by Chapter 126 of the Laws of 1931 entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of state indebtedness, and distributed in accordance therewith.

The question being on the amendments.

Mr. McGreal of Somersworth raised the point of order that the Committee on Appropriations had no authority to amend a bill other than in regard to financial items.

The Speaker called attention to House rule No. 49 and ruled the point not well taken.

On motion of Mr. Baker of Concord the amendments were acted on *ad seriatim*.

Amendments Nos. 1 and 2 were declared adopted.

The question being on amendment No. 3.

Mr. Dickinson of Danville offered the following amendment:

Amend said amendment by striking out the words: forty-

five hundred dollars and substituting therefor the words: twenty-five hundred dollars so that said amendment as amended shall read as follows:

Amend Section 2 by striking out the whole thereof and substituting in place therefor the following: 2. *The Commission.* Within ten days from the passage of this act, the Governor, with the advice and consent of the council, shall appoint a State Liquor Commission consisting of three commissioners, not more than two of whom shall belong to the same political party, who shall hold office for the term of one, two and three years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said commission shall be appointed in the month of May of each year for a term of three years from the first Monday in June next ensuing. If a vacancy shall occur in said commission it shall be filled for the remainder of the term. The chairman of the commission shall be appointed and commissioned as such. The annual salary of the chairman of said commission shall be twenty-five hundred dollars per annum; and the salaries of the other two members of the commission, who shall serve part time, shall be twenty-five hundred dollars each per annum. The commissioners shall receive their necessary expenses while traveling in the performance of their duties. The compensation and expenses of the commissioners and the expenses of the administration of the act shall be paid by the State on the warrant of the Governor with the approval of the council. No member of said commission shall be directly or indirectly interested in the liquor or beer business. Each member of the commission shall execute and file with the secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00) with sureties approved by the Governor and council, conditioned for the faithful performance of duty.

The question being on the amendment.

(Discussion ensued)

Mr. Dickinson of Danville called for a division.

A division being had 161 members voted in the affirmative and 161 members voted in the negative.

The vote resulting in a tie the Speaker cast the deciding vote in the negative.

Mr. Dickinson of Danville demanded the yeas and nays but withdrew his demand and asked for another division.

A division being had 195 members voted in the affirmative and 162 members voted in the negative and the amendment was adopted.

The question being on the amendment as amended.

Mr. Grimes of Dover offered the following amendment.

2. *Creation of Department.* An agency to be known and designated as the State Alcohol Control Department is hereby created. Such Department shall have the exclusive right to control within the State the traffic in alcohol and alcoholic liquor as provided by this act.

The Speaker ruled the amendment not germane.

Mr. Grimes of Dover offered the following amendment.

3. *Commissioner.* The Department shall be under the general supervision of a Commissioner who shall be appointed by the Governor and council for a term of five years unless sooner removed, at a salary of five thousand dollars per annum. Said commissioner shall be the chief executive of the Department. He shall have charge of and supervise all of the executive, administrative, and managerial functions of the Department and shall preserve all books, maps, documents, and papers belonging to the Department or entrusted to its care. He shall determine the general policies of the Department and shall make or have made all regulations for the proper administration of this act as he deems advisable and he shall perform such other duties as may be enumerated in subsequent sections of this act.

The question being on the amendment.

(Discussion ensued)

Mr. Grimes of Dover called for a division.

A division being had 64 members voted in the affirmative and 234 members voted in the negative and the amendment was not adopted.



Mr. Haskell of Concord offered the following amendment. Amend said bill by adding at the end of Section 2 the following.

No member of either branch of the legislature shall be eligible for any position that is in any way connected with the buying, distribution, or sale of beer, wines, or liquors, until two years after their term of office expires.

The question being on the amendment.

(Discussion ensued)

Mr. O'Brien of Manchester demanded the yeas and nays but subsequently withdrew his demand and asked for a division.

A division being had 215 members voted in the affirmative and 71 members voted in the negative and the amendment was adopted.

The question being on the amendment as amended.

(Discussion ensued)

Mr. Smith of Portsmouth moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendments offered by the Committee on Appropriations as amended.

Mr. McGreal of Somersworth moved that the vote whereby the previous question was ordered be reconsidered.

Mr. Callahan of Keene raised the point of order that the motion to reconsider was not in order inasmuch as the previous question having been ordered no motion can be entertained until the main question is decided.

Mr. Pingree of Berlin asked for unanimous consent to reconsider the vote whereby the previous question was ordered.

Mr. Callahan of Keene refused unanimous consent.

The question being on the amendment as amended.

Mr. Leahy of Claremont called for a division.

A division being had 107 members voted in the affirmative and 202 members voted in the negative and the amendment was not adopted.

On motion of Mr. Baker of Concord at 1:10 o'clock the House took a recess for one hour.

### AFTER RECESS

The question being on the 4th amendment submitted by the Committee on Appropriations.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

The question being on the 5th amendment submitted by the Committee on Appropriations.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

The question being on the 6th amendment submitted by the Committee on Appropriations.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Seymour of Carroll offered the following amendment:

Amend Section 15 by striking out the whole thereof and inserting in its place the following:

15. The commission may issue sellers' licenses to first class hotels in cities and towns adopting the provisions of this act, for the sale of liquor as defined in this act to be drunk on the premises. The determination of what is a first class hotel is to be within the discretion of the commission, and no hotel shall maintain or keep a bar room in which liquor is sold but may serve liquor to bona fide guests in their rooms and with meals in their dining rooms.

In cities and towns voting not to accept the provisions of this act and in unorganized towns and places, the commission may in its discretion license first class hotels to serve liquor to bona fide guests in their rooms and with meals in their dining rooms, but no such licensee shall sell liquor to any resident of the city or town in which such hotel is situated and neither shall he maintain or keep a bar room or bar at which liquor is sold.

The fee for such licenses for first class hotels shall be fixed by the commission and shall be not less than one hundred dollars (\$100.00), and no more than three hundred (\$300.00)

dollars per annum. The number of sellers' licenses to be issued in any town or city shall be within the discretion of the commission and the commission is hereby authorized to issue part time sellers' licenses to summer hotels and to fix a reasonable fee for the same, but no such fee shall be less than \$50.

The question being on the amendment.

(Discussion ensued)

Mr. Leahy of Claremont moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Seymour of Carroll.

On a *viva voce* vote the amendment was adopted.

Mr. Smith of Portsmouth offered the following amendment:

Amend Section 1 of House Bill No. 489, In new draft, by adding after line 21 thereof, the following:

VI. "Restaurant," a place, approved by the Commission, which has been in continuous existence for at least two consecutive years prior to the date of its application for license, located in a permanent building regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation which has a capital investment of at least \$20,000 and suitable accommodations for seating at least forty guests therein at one and the same time and a kitchen connected therewith containing conveniences for cooking sufficient to provide meals in a bona fide manner for forty guests at one and the same time.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Smith of Portsmouth asked for a division but subsequently withdrew his request.

Mr. Craig of Manchester offered the following amendment:

Amend Section 18, House Bill No. 489, entitled, "An act to

Regulate Traffic in Intoxicating Liquor" by striking out the whole of said section and substituting the following:

18. *Druggists.* In any city or town which has accepted the provisions of this act, the Board shall license such retail druggists as the Board may approve, to use and to sell liquor for medicinal, mechanical, or chemical purposes, upon payment to the Board of the sum of five dollars (\$5.00) per annum therefor. Medicinal liquor described in Section 11, hereof may be sold upon the certificate of the purchaser which shall state the use for which it is wanted and which shall be immediately cancelled at the time of the sale in such manner as to show the date of the cancellation. Every retail druggist shall keep a book in which he shall enter at the time of every said sale the name of the purchaser, quantity, price of liquor, purpose for which it was sold and residence by street and number, if there be, of said purchaser. If such sale is made upon prescription of the physician the book shall also state the name of the physician and shall state the use for which the said liquor was prescribed and the quantity to be used for such purpose and shall be cancelled in like manner as the certificate hereinafter mentioned. The book, certificates, prescriptions provided for in this section shall be at all times open to the inspection of the Board and its agents, the mayor and aldermen, selectmen, overseers of the poor, sheriffs, constables, and police officers. In any city or town which has not accepted the provisions of this act such permit shall authorize the druggist to use liquor and to sell medicinal liquor on the prescription of a practicing physician. All liquors possessed, used or sold by druggists shall be purchased from the Board.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

Mr. Dowd of Nashua asked for a division.

A division being had 195 members voted in the affirmative and 106 members voted in the negative and the amendment was adopted.

Mr. McGreal of Somersworth offered the following amendment.

Amend Section 16 by striking out the word "vintner's" in line 1 thereof and adding the words "and liquors" after the word "wines" in the 6th line thereof, so that said section shall read as follows:

Section 16. *Dining Cars.* The Board may issue a license to any railroad or car corporation operating any cars in which food is served within this State, authorizing the holder thereof to sell in such cars, after leaving and before reaching the terminal stops thereof, naturally fermented and fortified wines and liquors, to be drunk in such cars. Such license shall be good throughout the State in both license and non-license territory, and only one such license shall be required for all cars operated in the State by the same owner. The fee for such license shall be fifty dollars (\$50.00) per annum. The provisions of Section 10 shall not apply to sales to nor to purchases or sales by such licensees; and the provisions of Section 24 shall not apply to the transportation by such licensees for purpose of sale under the terms of their licenses.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Baker of Concord offered the following amendment.

Amend Section 28 by adding at the end thereof the following:

"The provisions of this section shall not apply to a railroad or car corporation holding a license under this act or a permit under Chapter 144 of the Laws of 1933", so that said section as amended shall read as follows:

28. *Employment of Citizens.* No person, except a citizen of the United States, and of the State of New Hampshire, shall be employed to sell, serve or deliver any alcoholic beverage. Violation of any provision of this section shall be punished by a fine of not less than twenty-five dollars, and shall be sufficient cause for the revocation or suspension of the license of any licensee under this Chapter contributing to or aiding or abetting such violation. The provisions of this sec-



tion shall not apply to a railroad or car corporation holding a license under this act or a permit under Chapter 144 of the Laws of 1933.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Welch of Andover offered an amendment which he subsequently withdrew.

Mr. Leahy of Claremont offered the following amendment.

Amend the printed copy of House Bill No. 489, by adding a new section after Section 11:

11A. *Insurance.* The Board shall be authorized to procure the proper insurance necessary to protect all property in its possession.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Kearns of Manchester offered the following amendment.

Amend Section 9 of the printed bill by striking out in line 6 the words "or beer."

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Haskell of Concord offered the following amendment.

Amend Section 2 by adding after line 9 the following:

No member of either branch of the legislature shall be eligible for any position in the employ of the State that is in any way connected with the distribution, or sale of beer, wines, or liquors, until two years after their term of office expires.

The Speaker ruled that as the House had already acted on a similar amendment the amendment was not in order.

Mr. Perley of Lebanon offered the following amendment.

Amend Sect. 24 by adding after the words "Any person may, but only for his own use and that of his family, transport liquor" these words "which he has purchased from a state store or drug store on a legal prescription."

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

Mr. Dickerman of Colebrook offered the following amendment.

Amend Section 17 by striking out all of said section and inserting in place thereof the following:

17. *Clubs.* The Board may issue licenses to bona fide clubs in towns and cities which have accepted the provisions of this act for the sale to members and bona fide guests of liquors by the glass only. The club license fee shall be ten dollars (\$10.00) per annum.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

Mr. Kearns of Manchester called for a division.

A division being had 115 members voted in the affirmative and 143 members voted in the negative and less than two thirds of the members elected being present and voting and less than two thirds of those voting having voted either in the affirmative or the negative no valid action was taken and the bill and amendment went over into unfinished business.

On motion of Mr. Downing of Lincoln at 4:30 o'clock the rules were suspended and the House declared adjourned until Thursday, May 24th, at 10 o'clock.

---

THURSDAY, MAY 24, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

God be merciful unto us, and bless us;  
And cause his face to shine upon us,  
That thy way may be known upon earth,  
Thy salvation among all the nations.  
Let the peoples praise thee, O God,  
Let all the peoples praise thee.  
O let the nations be glad and sing for joy;

For thou shalt judge the peoples with equity,  
And govern the nations upon earth,  
Let the peoples praise thee, O God,  
Let all the peoples praise thee.  
The earth hath yielded its increase:  
God, even our own God, will bless us,  
God will bless us:  
And all the ends of the earth shall fear him.

*Psalm sixty-seven.*

#### LEAVE OF ABSENCE

Mr. Dowd of Nashua was granted leave of absence for to-day on account of important business.

#### CONSIDERATION RESUMED

The consideration of House Bill No. 489, An act to regulate the traffic in intoxicating liquor, was resumed.

Mr. Shaw of Franklin offered the following amendment:

Amend Section 6 by adding after the word "provided" in line 8 the following: but no such store shall be operated within 200 feet of any public or private school, or public place of worship where meetings are regularly held, so that said section as amended shall read as follows:

6. *Sales Agents.* Said Commission may appoint sales agents and fix their salaries. The salaries of the agents employed in State stores shall not be based upon the number of sales or the profits for sales of liquor. It shall be the duty of said agents, in the discretion and under the direction of the Commission to sell liquor in stores operated by the Commission in such cities and towns in the State as shall have accepted the provisions of this act as hereinafter provided, but no such store shall be operated within 200 feet of any public or private school, or public place of worship where meetings are regularly held. Each agent shall furnish a bond conditioned for the faithful performance of his duties, in such form and amount as the Commission shall direct.

The question being on the amendment.

(Discussion ensued)

Mr. Callahan of Keene moved to amend the amendment by striking out the figures 200 and inserting in place thereof the figures 300.

On a *viva voce* vote the motion prevailed.

The question being on the amendment as amended.

On a *viva voce* vote the amendment as amended was adopted.

Mr. Welch of Andover offered the following amendment:

Amend Section 34 by striking out the whole thereof and substituting therefor the following:

34. *Prosecutions.* The Commission shall, for the proper prosecution of any violation of this act or of Chapter 99 of the Laws of 1933, and amendments thereto, appoint an agent or agents whose duty it shall be and who shall have the power to prosecute any person guilty of any violation of this act or of said Chapter 99. Said agent or agents shall have all the powers of the sheriff in any county, with reference to the laws concerning liquor and beer, and the enforcement of such laws, either in co-operation with, or independently of, the other officers of any county, city or town. Said agent or agents shall give bond, in the form prescribed for sheriffs, for the faithful performance of his or their duty, in such sum and with such sureties as the Governor and Council shall prescribe. The primary responsibility for the enforcement of all liquor and beer laws shall be upon the Commission. Any person violating the provisions of this act or of Chapter 99 of the Laws of 1933, and amendments thereto, shall be prosecuted by the Commission or any of its agents as herein provided, or by county or city solicitors, or by sheriffs or their deputies, or by police officials of cities or towns.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Dionne of Nashua asked for a division.

(Discussion ensued)

A division being taken 171 members voted in the affirmative and 129 members voted in the negative and the amendment was adopted.

Mr. Bagley called for unfinished business, it being the amendment offered by Mr. Dickerman of Colebrook.

Mr. Dickerman of Colebrook withdrew the amendment and offered the following amendment:

Amend by striking out Section 17 and inserting in its place the following:

17. *Clubs.* In towns and cities which have accepted the provisions of this act the Commission may issue licenses to clubs incorporated under the laws of the State of New Hampshire or which are affiliated with any national fraternal organization for the sale to members and bona fide guests, of liquors by the glass only. The club license fee shall be ten dollars (\$10.00) per annum.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Dickinson of Danville offered the following amendment:

Amend Section 2 by striking out the entire section and substituting therefor the following:

2. *The Commission.* Within ten days from the passage of this act, the Governor, with the advice and consent of the Council, shall appoint a State Liquor Commission consisting of two commissioners, not more than one of whom shall belong to the same political party, who shall hold office for the term of two and four years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of May of each year for a term of four years from the first Monday in June next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be three thousand dollars (\$3,000.00), and the commissioners shall receive their necessary expenses while traveling in the performance of their duties. The compensation and expenses of the



commissioners and the expenses of the administration of the act shall be paid by the State on the warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beer business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and shall make a detailed annual report to the Governor and Council at the end of each calendar year. Any or all of the members of said Commission may be removed by the Governor and Council for cause. The chairman may assign any member of the Commission to hear the evidence pertaining to any application for license to manufacture or sell under the terms of this act, any proceeding for a violation of this act, or any other proceeding requiring a decision of the Commission under the terms of this act, and to make a decision which shall be final, subject, however, to the right of any party in interest and of record to appeal to the full Commission within ten days from the date of the decision. The member making the decision shall, on the day such decision is rendered, give notice thereof by registered mail to all parties of record. The record of such appeal shall comprise the stenographic report of the evidence and the decision, together with all exhibits presented and properly identified. There shall be no oral testimony on appeal except by unanimous consent of the members of the Commission who are determining the appealed case. If at any time the Commission shall be unable to make a decision on any matter by reason of a tie vote the chairman shall apply to a Justice of the Superior Court for appointment of a referee who shall be a member of said Commission until such matter is decided and no longer. The referee shall act on no other matter. The fee for the services of the referee shall be determined by the Superior Court and shall be a charge against the Commission.

After the members of the Commission have been appointed and have qualified, the terms of office of the members of the

control board established by Chapter 99, Laws of 1933, shall expire, and all property of the State in the custody of the control commission shall automatically be transferred to the Commission.

The question being on the amendment.

(Discussion ensued)

Mr. Smith of Portsmouth moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Dickinson of Danville.

Mr. Dickinson asked for a division.

A division being had 193 members voted in the affirmative and 138 members voted in the negative and the amendment was adopted.

Mr. Haskell of Concord offered the following amendment:

Amend said bill by adding at the end of Section 2 the following.

No member of either branch of the legislature shall be eligible for any position in the employ of the State that is in any way connected with the distribution, or sale of beer, wines, or liquors, until two years after their term of office expires.

The question being on the amendment.

(Discussion ensued)

Mr. Callahan of Keene offered the following amendment to the amendment:

Amend the amendment by adding at the end thereof the following words:

And the same restriction shall apply to members and attaches of the General Court with respect to the State Racing Commission, and every track or business under its supervision, and to every other department or agency of the State Government created by the General Court of 1933-1934.

The question being on the amendment offered by Mr. Callahan of Keene.

Mr. Leahy of Claremont raised the point of order that the amendment was not germane.

The Speaker ruled the point not well taken.

(Discussion ensued)

Mr. Blackwood of Concord moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Callahan of Keene.

On a *viva voce* vote the amendment was not adopted.

The question being on the amendment offered by Mr. Haskell of Concord.

On a *viva voce* vote the amendment was not adopted.

Mr. Shaw of Franklin offered the following amendment:

Amend Section 12 by adding after the word "proper" in line 7 the words, but no bottle or container shall hold less than one half pint, so that said section as amended shall read:

12. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper, but no bottle or container shall hold less than one half pint. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time. Liquor sold in a State store shall not be consumed in any public place.

The question being on the amendment.

(Discussion ensued)

Mr. Smith of Portsmouth moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Shaw of Franklin.

On a *viva voce* vote the amendment was not adopted.

Mr. Shaw of Franklin asked for a division.

A division being had 115 members voted in the affirmative and 191 members voted in the negative and the amendment was not adopted.

The question being.

Shall the bill be read a third time?

Mr. Callahan of Keene demanded the yeas and nays.

(Discussion ensued)

Mr. Keefe of Dover moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being shall the bill be read a third time?

The roll was called with the following result.

#### YEAS 261

ROCKINGHAM COUNTY: Dickinson, Hatch, Ladd, Conner, Day of Exeter, Tufts, Emerson of Hampstead, Adams of Hampton, Brown of Hampton Falls, Mace, Mack, Pridham, Turcotte, Walker, Estabrook, Seavey of North Hampton, Giles, Perkins of Nottingham, Barrett of Portsmouth, Pray, Smith of Portsmouth, Yeaton, Cogan, Harmon, Rose, Stevens of Portsmouth, Purinton, Marden, Manor, Adams of Seabrook.

STRAFFORD COUNTY: Elder, Goodwin of Dover, Keenan of Dover, Dion of Dover, Grimes, Martin of Dover, Buzzell, Layn, Durnin of Dover, Ward 4, Keefe, Wiggin, Durnin of Dover, Ward 5, Tuttle, Fisher of Lee, Gotts, Foss, Masse,

Lacasse, Marcoux, Emery of Rochester, Seavey of Rochester, Nutter, Lagueux, Lapointe.

BELKNAP COUNTY: Piper, Smith of Center Harbor, Page, Beane of Laconia, Wiley, Simoneau, Stafford, Neal, Prescott, Harvey, Smith of Tilton.

CARROLL COUNTY: Davis of Conway, Winkley, Sanborn of Wakefield.

MERRIMACK COUNTY: Gamache, Welch, Trow, Coakley, Matott, Hill, Lindgren, Baker, DuBois, Bean of Concord, McLeod, Sturtevant, Brunel, Russel of Concord, Lee, Ahern, Worth, Laramie, Rousseau, Douphinett, Drake of Hooksett, Stobie, Shepard, Caveney, Duford, Perkins of Pittsfield, Mock, Stearns.

HILLSBOROUGH COUNTY: McNamee, Flint, Holbrook, Pierce, Hambleton, Hart of Goffstown, Prince, Charois, Craine, Blood, Holt, Emery of Manchester, Knowlton of Manchester, Bergholtz, Johnson, McIntire of Manchester, Ward 2, Barry of Manchester, Ward 3, Kendall, Ducharme, Jennings, Nerbonne, Allen, Phinney, Pillsbury, Broderick, Clancy, O'Brien, Sweeney, Bresnahan, Connelly, O'Connor, Sullivan, Berry, Cote of Manchester, Ward 7, Farrell, Laforest, Lavigne, Peloquin, Burke, Chevrette, Cote of Manchester, Ward 8, Craig of Manchester, Donnelly, Moran, McBride, Getz, Kearns, Madden, McIntyre of Manchester, Ward 10, Barry of Manchester, Ward 11, McLaughlin, Roukey, Caron, Desruisseaux, Gauthier, Letendre, Soucy, Boisvert, Ladouceur, Lambert, Lamy, Lesmerises, Carter, Howison, Barker, Dowd, Hammar, Sylvestre, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellavance, Burns, Ravenelle, Morse, Wills, Dionne of Nashua, Ward 8, Glynn, Molloy, Noel, Bouthillier, Newton, Roger, Currier of Pelham, Keenan of Peterborough, Nichols, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Winn, Kimball, Knowlton of Keene, McAllister, Sibley, Wardwell, Duffy, Granger, Thompson, Clark of Troy, Fletcher, Graves, Burbank of Winchester.



SULLIVAN COUNTY: Kemp, Dow, Leahy, Pederson, Putnam, Tenney, Condon, Philbrick.

GRAFTON COUNTY: Ellis, Blandin, Goodwin of Bethlehem, Lidstone, Mitchell, Sanborn of Enfield, Martin of Grafton, Guyer, Hunter of Hanover, Butson, Craig of Haverhill, Keyser, Oakes, Drake of Lebanon, Hoyt of Lebanon, Manson, McNamara, Perley, Kelsea, Gadbois, Mooney, Richardson of Littleton, Howard, Huckins, Renfrew, Dunbar, Currier of Wentworth.

COOS COUNTY: Bagley, Barden, Bell, Mason of Berlin, Smith of Berlin, Palmer, Pingree, Steady, Brungot, Oleson, Bixby, Myler, Seymour, Dickerman, Ramsay, Thurston, Dube, George, Morris, Blais, Cole, Flanders, Brown of Stratford, Pratt.

#### NAYS 89

ROCKINGHAM COUNTY: Swasey, Fifield, Fitts, Brown of Deerfield, Edwards, Greenough, Russell of Exeter, Gowen, Cheney, Peaslee of Plaistow, Emerson of Windham.

STAFFORD COUNTY: Boyle, Henderson, Breckenridge, Roberts of Milton, Jones of New Durham, Twombly of Rochester, Spiers, Durgin.

BELKNAP COUNTY: Varney, Little, Hammond, Rollins, Hoyt of Laconia, Merrill of Laconia, Newell, Wallis.

CARROLL COUNTY: Russell of Conway, Staples, Goss, Mason of Tamworth, Clow.

MERRIMACK COUNTY: Fisher of Boscawen, Conant, Shaw of Chichester, Dame, Nash, Blackwood, Haskell, Ford, Wheeler, Fowler, Shaw of Franklin, Twombly of Hill, Rice of Hopkinton, Marston, Gilman, Jewell.

HILLSBOROUGH COUNTY: Fessenden, Reynolds, Boynton of Hillsboro, Wright, Greer, Gage, Richardson of Manchester, Wadleigh, Weston, Foote, Woodbury of Nashua, Lindquist.

CHESHIRE COUNTY: Firmin, Hanson, Callahan, Jones of Keene, Barrett of Keene, Gates, Spaulding, Wiswall, Rice of Rindge.

SULLIVAN COUNTY: Hamlin, Etsler, King, Rowell of Claremont, Quimby, Holmes, Fairbanks, Reed, Barton.

GRAFTON COUNTY: Plumer, Day of Canaan, Jesseman, Hoyt of Hanover, Downing, Lufkin, Verrill, Merrill of Thornton.

COOS COUNTY: Fogg, Baldwin.

PAIRS

Mr. Shedd of Bow voting No paired with Mr. Hayes of Manchester voting Yes.

Mrs. Hunter of Tuftonboro voting No paired with Mr. Simpson of Bartlett voting Yes.

Mr. Sawyer of Woodstock voting No paired with Mr. Osborne of Sunapee voting Yes.

And the bill was ordered to a third reading.

On motion of Mr. Baker of Concord the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Callahan of Keene at 12:30 o'clock the rules were suspended and the House declared adjourned until Friday morning at 10 o'clock.

---

FRIDAY, MAY 25, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

We thank Thee Father that Thou hast not left us without witness in that Thou hast given us rains from heaven and fruitful seasons, filling our hearts with food and gladness. Grateful as we are for the days that we call pleasant days, for the light of the sun that fills those days with radiance, we would yet remember that but for the unpleasant days our land would be a desert.

The clouds that hide the heavens are big with mercy, giving us bread for our hunger and saving the world from famine. May we never doubt that all clouds and darkness, all the storms of life, are under Thy control and in accordance with Thy purposes of good.

We pray that as the rain cometh down from heaven and returneth not thither but watereth the earth that it may bring forth and bud, and give seed to the sower and bread to the eater, so Thy word may be, that it may not return unto Thee void, but accomplish that which Thou pleasest and prosper in the thing whereunto Thou hast sent it, that all the sons of men may know Thy will and do it. AMEN.

On motion of Mr. Staples of Madison at 10:24 o'clock the rules were suspended and the House adjourned to meet on Monday at 11 o'clock Standard time.

---

MONDAY, MAY 28, 1934.

The House met at 11 o'clock.

Prayer was offered by the Chaplain as follows:

Father Almighty, maker of heaven and earth, we thank Thee for the revelation of thyself in nature, for the heavens that declare Thy glory and the earth that satisfieth our hunger.

Thou hast clothed the things that we call common with surpassing loveliness. Let not our fears for the future or our regrets for the past dull the wonder and praise with which we look upon a world so radiantly beautiful.

And for the revelation of thyself in human nature at its best we give Thee thanks, that man has power to discover and use the laws of the universe.

We pray Thee to fit us for the exercise of that appalling power. For however terrifying the forces of nature at times may be, we are conscious that our greatest peril comes from human nature. Keep us mindful that human nature at its worst can be redeemed from all evil by the transforming power of Jesus Christ. AMEN.

#### LEAVES OF ABSENCE

Messrs. Butson of Haverhill, Philbrick of Springfield, Ramsey of Colebrook, Keefe of Dover, and Dow of Claremont were granted leave of absence for to-day on account of important business.

Messrs. Smith of Center Harbor and Dickerman of Colebrook were granted leave of absence for Monday and Tuesday, May 28 and 29, on account of important business.

Mr. Fletcher of Walpole was granted leave of absence for the week on account of illness.

#### COMMITTEE APPOINTMENT

The Speaker appointed Mr. Blandin of Bath as a member of the Committee on Appropriations in place of Mr. Duncan of Jaffrey.

At 11:35 o'clock the House took a recess until 1:58 o'clock.

#### AFTER RECESS

On motion of Mr. Callahan of Keene at 2:51 o'clock the rules were suspended and the House adjourned until Tuesday morning at 10 o'clock.

---

TUESDAY, MAY 29, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

Father of all mankind, dwelling in a nation which we founded not, rejoicing in institutions for which we made no sacrifice and deserve no praise, we remember with grateful hearts our debt to the nameless dead, the noble soldiers and nurses who laid down their lives for a cause deemed by them to be sacred. We pray, as they would have us pray, that justice and mercy between nation and nation, may be our sure protection from the horror and folly of a future war.

Gather not our souls with those who put their trust in reeking tube and iron shard, and guarding, call not Thee to guard.

Make us mindful of the duty that accompanies every right. May we put far from us covetousness, arrogance and aggression.

Teach us that back of all leagues and courts and covenants there must be good-will and cordial co-operation, till we and

all nations shall be numbered with the followers of the Prince of Peace to the glory of Thy holy name. AMEN.

#### PERSONAL PRIVILEGE

Mr. Bryer of Sandwich rose to a question of personal privilege and stated that previous to the roll call on the passage of House Bill No. 489, An act to regulate the traffic in intoxicating liquor, he was called from the House and was unable to reenter as the doors were locked. Had he been present he would have voted for the bill.

#### LEAVES OF ABSENCE

Messrs. Guyer of Hanover and Huckins of Plymouth were granted leave of absence for the day on account of important business.

The House took a recess.

#### AFTER RECESS

The Speaker appointed as a committee to wait upon the Honorable Senate and ascertain its probable procedure in regard to House Bill No. 489, An act to regulate the traffic in intoxicating liquor, Messrs. Hunter of Hanover, Leahy of Claremont and Osborne of Sunapee.

The House took a recess.

#### AFTER RECESS

Mr. Hunter of Hanover for the committee appointed to wait upon the Honorable Senate reported that the bill would be reported into the Senate at 10 o'clock on Thursday and be referred to the Finance Committee. The bill would probably reach the House Thursday afternoon.

On motion of Mr. Dowd of Nashua at 10:50 o'clock the rules were suspended and the House adjourned until Thursday, May 31, at 11 o'clock.

---

THURSDAY, MAY 31, 1934.

The House met at 11 o'clock.

Prayer was offered by the Chaplain as follows:



We cease not to thank Thee, Lord, for those who have gone before us, whose toil and vision made possible that which we prize most highly. But to-day we pray for those who shall come after us, for the children whose laughter and tears are prophetic of the mingled joy and sorrow of the inevitable years.

When these boys and girls shall be men and women, when disillusionment and some measure of human failure shall dispel their ardent dreams, may their disappointment never be due to our misleading counsel or example.

We have no more earnest prayer than that the ideals we received from our fathers and mothers may safeguard the pathway of our sons and daughters. May they go from our sheltering roof, purposeful, guileless and unafraid.

And whatsoever Thou must deny, grant that amidst the moral issues of their day, they may seek and find some noble cause, and live and die sustained by their faith in the final triumph of the right. AMEN.

The House took a recess until 11:40 o'clock.

#### AFTER RECESS

The House was called to order.

The House took a recess until 1 o'clock.

#### AFTER RECESS

##### RESOLUTION

On motion of Mr. Pingree of Berlin:

WHEREAS, The House has learned with regret of the illness of William I. Richardson of Littleton, a member of the House,

*Therefore be it Resolved*, That the House extend its heartfelt sympathy to said member and its best wishes for a speedy recovery, and be it

*Further Resolved*, That the Clerk be instructed to forward a copy of these resolutions and flowers to Mr. Richardson.

The House took a recess until 1:45 o'clock.

## AFTER RECESS

The House was called to order.

The House took a recess subject to the call of the Speaker.

## AFTER RECESS

The following letter was read by the Speaker:

MAY 31, 1934.

Hon. Louis P. Elkins,  
Speaker, House of Representatives,  
Concord, New Hampshire.

*Dear Sir:*

I understand my opinion is desired as to whether the fifteen days for which members of the legislature may be paid must be consecutive and if so whether the period may begin at different times for different members.

The portion of Article 15 of the Constitution relating to pay for attendance at a special session is as follows: "provided however, that when a special session shall be called by the Governor, such officers and members shall receive for attendance an additional compensation of three dollars per day for a period not exceeding fifteen days and the usual mileage."

In my opinion the phrase, "a period not exceeding fifteen days" means consecutive days. Days of adjournment such as Saturdays and Sundays need not be counted. Further, the said period of fifteen days is the same for all members. Members who attend late in the session cannot draw pay after the common period of fifteen days has expired although they lose because of their non-attendance.

The above limitation on pay, of course, is not a limitation on the length of the session. This may last and business may be legally transacted beyond said period.

Yours very truly,

FRANCIS W. JOHNSTON,  
*Attorney General.*

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate concurred with the House of Representatives in the passage of the following House Bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 489, In new draft, An act to regulate traffic in intoxicating liquor.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. *Definitions.* Terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

I. "Liquor," all distilled and rectified spirits, alcohol, wines, fermented and malt liquors and cider, of over six per cent alcoholic content by volume at sixty degrees Fahrenheit.

II. "Beverage," any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquors and fruit juices containing one per cent or more of alcohol by volume and not more than six per cent of alcohol by volume at sixty degrees Fahrenheit.

III. "Person," individual, firm, association, co-partnership, corporation, and society.

IV. "Commission," State Liquor Commission.

V. "Club," a group of individuals incorporated or otherwise, approved by the Commission, which has been in continuous existence for at least three consecutive years prior to the date of its application for license and which is the owner, lessee or occupant of an establishment not operated for pecuniary gain and the property as well as the advantages of which belong bona fide to all the members. "Club" as herein used also means the establishment so operated.

2. Within ten days from the passage of this act, the Governor and Council shall appoint a State Liquor Commission consisting of four Commissioners, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two, three and four years, respectively,

the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of four years from the first day in July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each shall be thirty-six hundred dollars (\$3,600.00), and each member of the Commission shall devote his full time to the duties of the Commission and shall receive his reasonable expenses while traveling in the performance of his duties, provided however that the members of said Commission shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council. No member of said Commission shall be directly or indirectly interested in the liquor or beverage business. Each member of said Commission shall execute and file with the Secretary of State a bond to the State in the sum of ten thousand dollars (\$10,000.00), with sureties approved by the Governor and Council, conditioned for the faithful performance of duty. Said Commission shall keep a record of its proceedings and shall make a detailed annual report to the Governor and Council at the end of each fiscal year. Any or all of the members of said Commission may be removed by the Governor and Council for cause.

3. *Hearings on Applications; Appeals.* The chairman may assign any member of the Commission to hear the evidence pertaining to any application for license to manufacture or sell under the terms of this act, any proceeding for a violation of this act, or any other proceeding requiring a decision of the Commission under the terms of this act, and to make a decision thereon. The commissioner making such

decision shall, on the day of filing the same, cause notice thereof to be given by registered mail to all parties in interest and of record. Such decision shall be final, subject, however, to the right of any party in interest and of record to appeal therefrom to the Commission at any time within ten days from the date of the filing of such decision. On such appeal the commissioner from whose decision appeal has been taken shall not sit. The record of such appeal shall comprise the stenographic report of the evidence, the decision and all exhibits. No further evidence shall be offered on appeal except by unanimous consent of the members of the Commission hearing the appeal.

4. *Appointment of Referee.* In the event that the Commission shall be unable to make decision on any question by reason of a tie vote the Commission may apply to a Justice of the Superior Court for the appointment of a referee who shall serve as a member of said Commission for the determination of that question only. The referee shall receive such fees and expenses as shall be approved by the Justice making the appointment. Such fees and expenses shall be paid as an expense of the Commission.

5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and all funds and property of the State in the custody of the control commission shall automatically be transferred to the Commission.

6. *Offices; Seal.* Said Commission shall be provided with suitable offices in the City of Concord. The Commission shall adopt a proper seal.

7. *Assistants.* Said Commission is hereby authorized and empowered to employ such assistants as are, in its opinion, necessary for the proper transaction of the business of their office and to fix their compensation, also to secure any necessary technical or professional assistance. Said Commission shall cause such precautions to be taken as it may deem necessary to insure the purity and freedom from misbranding of all liquors sold. It shall be unlawful to manufacture for



sale or to sell any liquor as defined in this act or any beverage as defined in this act or any beverage as defined in Chapter 99, Laws of 1933 and amendments thereto which is adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health.

8. *Special Agents.* Said Commission may appoint and at pleasure dismiss one or more special agents and fix their compensation. It shall be the duty of said special agents, under the direction of the Commission, to investigate any or all matters arising under this act or Chapter 99 of the Laws of 1933. Any member of the Commission, assistant or special agent may enter any place where liquor or beverages are sold or manufactured, at any time, and may examine any license or permit issued or purporting to have been issued under the terms of this act or under the provisions of said Chapter 99. They shall make complaints for violations of this act or said Chapter 99.

9. *State Stores.* Said Commission is hereby authorized to lease and equip in the name of the State, such stores, warehouses and other merchandising facilities for the sale of liquor as are necessary to carry out the provisions of this act. Any lease or contract made pursuant hereto shall be approved by the Attorney General before becoming effective. No such store shall be operated within 300 feet of any public or private school, church, chapel, or parish house.

10. *Operation of State Stores; Sales Agents.* Said Commission may in its discretion operate State stores for the sale of liquor in such cities and towns as shall have accepted the provisions of this act as hereinafter provided and may appoint and at pleasure dismiss sales agents to sell liquor in said stores. Any sales agent appointed for any store shall have been a resident of the city or town where said store is located for at least six months prior to said appointment. The Commission shall fix the salary of each such sales agent, but shall not in so doing be governed by the amount of sales. Each such agent shall furnish a bond conditioned for the faithful performance of his duties, in such form and amount as the Commission shall direct.

No sales agent, authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions hereof.

11. *Salaries.* All salaries of assistants, special agents, and sales agents shall be approved by the Governor and Council.

12. *Rules and Regulations.* Said Commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions of this act, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days except by persons holding licenses under the provision of Sections 19, 21, 22 and 23.

13. *Liquor Dispensed Only Through Commission.* No liquor shall be sold in any State store, nor by any sales agent, nor by any person holding a license hereunder, except liquor obtained from the Commission.

14. *Commission to Sell.* It shall be the duty of the Commission to buy and have in its possession liquor for sale in the manner provided herein. Such liquors shall be free from adulteration and misbranding within the meaning of the provisions of Chapter 139 of the Public Laws. All liquors sold for medicinal use shall conform to the standards and tests for such liquors as laid down in the United States Pharmacopoeia, official at the time of sale.

All purchases of liquor shall be made by the Commission directly and not through the office of the State purchasing agent.

Said Commission shall be subject to all the provisions so far as applicable of Chapter 171, Laws of 1931.

15. *Insurance.* The Commission may, in its discretion, procure the necessary insurance to protect any property in its possession.

16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of

the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time.

17. *Special Sales Agents.* In cities or towns adopting the provisions of this act, and where there is no State store, the Commission shall have authority in exceptional cases to appoint a special sales agent for the State, to sell in such cities or towns, liquors in packages, in such place and under such regulations as the Commission may determine.

The salary of such special sales agent shall be governed by the provisions of Sections 10 and 11 herein.

18. *Licenses Required.* No person shall manufacture for sale and no person other than the Commission or its agents shall sell any liquor or beverage without first obtaining a license or permit therefor under the provisions of this act, or Chapter 99 of the Laws of 1933.

19. *Licenses for Hotels.* The Commission may issue licenses to first class hotels in any city or town. The determination of what is a first class hotel is to be within the discretion of the Commission.

Said license shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide guests with meals in the dining room or in the rooms of the guests, provided that in cities and towns voting not to accept the provisions of this act the licensee shall not sell such liquor or wines to a resident of the city or town in which such hotel is located.

20. *Fees for Hotel Licenses.* The annual fee for each

license as provided in the preceding section shall be fixed by the Commission but shall not be less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) per annum. The Commission may, however, issue part-time licenses to summer hotels and in such case the fee for such part-time license shall not be less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00) per annum. Said fees shall be determined by the Commission upon the volume of business or probable volume of business of the licensee.

21. *Dining Cars.* The Commission may issue a license to any railroad or car corporation operating any cars in which food is served within this State, authorizing the holder thereof to sell in such cars, after leaving and before reaching the terminal stops thereof, liquor and beverages to be drunk in such cars. Such license shall be good throughout the State in both license and non-license territory, and only one such license shall be required for all cars operated in the State by the same owner. The fee for such license shall be one hundred dollars (\$100.00) per annum. The provisions of Section 13 shall not apply to sales to nor to purchases or sales by such licensees; and the provisions of Section 29 shall not apply to the transportation by such licensees for purpose of sale under the terms of their licenses.

22. *Clubs.* In towns and cities which have accepted the provisions of this act the Commission may issue licenses to clubs incorporated under the laws of the State of New Hampshire or which are affiliated with any national fraternal organization for the sale to members and bona fide guests, of liquor by the glass only. The club license fee shall be one hundred dollars (\$100.00) per annum.

23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription and shall forward to the Commission monthly a statement of the name and address of each purchaser, the quantity and price of the



liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be one dollar (\$1.00) per annum. Said licensee shall purchase from the Commission for use in compounding medicines such liquor as may be necessary.

24. *Manufacturers.* The manufacture of liquor in this State shall be permitted under such regulations as the Commission shall determine and under such terms as are not inconsistent with the provisions of the Constitution of the United States or the Statutes of the United States, but no liquor manufactured in this State by any manufacturer shall be sold or delivered in this State in any manner which is inconsistent with the provisions of this act. Each manufacturer of liquor in this State shall pay an annual license fee of two thousand dollars (\$2,000.00).

25. *Purchases of Sacramental Wines and Liquor for Mechanical Purposes, etc.* Any duly authorized officer of a regularly organized religious body may order from any source for shipment to such religious body wines to be used for sacramental purposes only in the services of such religious body. Any person engaged within the State in a manufacturing or mechanical business or in scientific pursuits in the conduct of which the use of alcohol or alcoholic liquor is necessary may order from or through the Commission only for shipment to himself alcohol or alcoholic liquor to be used for such manufacturing or mechanical business or in such scientific pursuits only.

26. *Cider.* This Chapter shall not apply to sales of cider containing not more than 6 per cent of alcohol by volume at 60 degrees Fahrenheit.

Sale by manufacturers and farmers of cider containing more than 6 per cent of alcohol by volume at 60 degrees Fahrenheit may be made to the Commission under such regula-



tions and with such fees as said Commission may prescribe and such cider may be shipped out of the State under such regulation and fees as the Commission may prescribe.

27. *Application for License.* Any person applying for a license under this act shall file with the Commission an application therefor in such form as the Commission may prescribe and such application shall contain such information as the Commission may require, and except in the case of an application for a dining-car license, shall contain a statement setting forth the name and address of the true and actual owner of the premises upon which the business to be licensed is to be conducted. Before a license is issued the Commission shall satisfy itself that the applicant is financially responsible and generally fit for the trust to be in him reposed; that the applicant other than an applicant for a dining-car license, if an individual, or, if a partnership each of the members of the partnership, or, if a corporation each of its principal officers and directors, is of good moral character, a citizen of the United States and not less than twenty-one years of age; that the applicant intends to carry on the business authorized by the license for himself and not as the agent of any individual, partnership, association or corporation and that he intends to superintend in person the management of the business licensed, or intends to have some other person to be approved by the Commission manage the business for him; that the proposed location of the business is an appropriate one, taking into consideration its surroundings and the number of similar licenses already issued in the neighborhood where the applicant's business is to be conducted. A separate application shall be filed with respect to each place of business. Any such application shall be verified by the affidavit of the applicant if an individual, or by all the members of a partnership or by the proper officer of a corporation.

28. *Revocation or Suspension.* It shall be the duty of the Commission to cause frequent inspections to be made of all premises with respect to which any license shall have been issued under this act. If any licensee violates any

of the rules and regulations of the Commission promulgated pursuant thereto or fails to superintend in person or through a manager approved by the Commission the business for which the license was issued or allows the premises with respect to which the license was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor any person who fails to carry out in good faith the purposes of this act the license may be suspended by the Commission without hearing, and may be revoked after notice and hearing. The Commission is authorized to investigate prices charged for liquor by holders of licenses as provided in this act. The Commission shall have the power to revoke or suspend the license of any licensee if the Commission finds after notice and hearing that the profit made from the sale of liquor by such licensee is unreasonable and excessive.

29. *Transportation.* The Commission may fix the quantity of liquor which may be transported by any person, without a license, at one time for his own use and that of his family. No person for his own use and that of his family shall at one time transport a greater quantity than that fixed by the Commission. It shall be lawful for common carriers to transport liquor to State stores, to State warehouses, to licensees under this act, to purchasers of liquor at State stores, and from manufacturers to State warehouses, State stores and to the State line for transportation outside the State; for licensees under this act to transport liquor from State stores to their place of business; and for manufacturers to transport within the State to State warehouses and State stores and to the State line for transportation outside the State.

30. *Transfers.* No license shall be transferred without the consent in writing of the Commission.

31. *Sales Prohibited.* No licensee, sales agent, nor any other person, shall sell or give away or cause or permit or procure to be sold, delivered or given away any liquor or beverage to a minor, to an habitual drunkard, to an insane person, to a person under the influence of liquor, or to any

other person to whom any court, selectman of a town, chief of police, overseer of the poor or the Commission shall prohibit sale.

In no case shall any section of this act be so construed as to permit the sale of liquor over a bar or in any so-called saloon or speak-easy.

32. *Employment of Minors.* No licensee under this act or permittee under Chapter 99, Laws of 1933, shall employ any minor, with or without compensation, to serve or in any wise handle liquor or beverage.

33. *Employment of Citizens.* No person, except a citizen of the United States, shall be employed to sell, serve, or deliver any liquor or beverage. The provisions of this section shall not apply to a railroad or car corporation holding a license under this act or a permit under Chapter 99 of the Laws of 1933.

Amend Section 34 of the bill by striking out all of said section and renumbering the following sections, so that 35 shall be 34, 36 shall be 35, 37 shall be 36, 38 shall be 37, 39 shall be 38, 40 shall be 39, 41 shall be 40, 42 shall be 41, 43 shall be 42, 44 shall be 43, and 45 shall be 44.

35. *Local Option.* The following questions shall be submitted to the voters in cities and towns on the usual ballot at each biennial election hereafter; (a) "Shall State stores be operated by permission of the State Liquor Commission in this city or town, under the provisions of 'An act to Regulate the Traffic in Intoxicating Liquor,' passed at the 1934 special session of the General Court?" (b) "Shall beverages be sold in this city or town under permits granted by the State Liquor Commission under the provisions of Chapter 99 of the Laws of 1933, and amendments thereto?"

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the disapproval of question (a) above, the Commission shall not operate State stores under the provisions of this act in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the disap-

proval of question (b) above, then the Commission shall not issue permits in said city or town under the provisions of said Chapter 99 of the Laws of 1933, and amendments thereto.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the approval of question (a) above, the Commission may at its discretion operate State stores under the provisions of this act in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies the approval of question (b) above, then the Commission may at its discretion issue permits under said Chapter 99 of the Laws of 1933, and amendments thereto.

Provided, however, that nothing contained in this section shall prevent the Commission from operating State stores and issuing licenses under the provisions of this act and Chapter 99 of the Laws of 1933 and amendments thereto, between the time of the passage of this act and the next biennial election, in cities and towns which voted in favor of licensing the sale of beverages or liquor in the last election or town meeting in which that question was before the voters.

36. *Penalties.* Whoever violates any of the provisions of this act or any of the rules and regulations promulgated pursuant thereto shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six months or by both such fine and imprisonment, in the discretion of the court. If any licensee is convicted of a violation of the provisions of this act or any of the rules and regulations promulgated pursuant thereto the court shall immediately declare his license revoked and notify the board accordingly and no license shall thereafter be granted to him within the period of three years thereafter. In case of appeal the license of such licensee may be suspended in the discretion of the Commission during the pendency of such appeal.

37. *Prosecutions.* The Commission shall, for the proper prosecution of any violation of this act or of Chapter 99 of the Laws of 1933, appoint an agent or agents whose duty it



shall be and who shall have the power to prosecute any person guilty of any violation of this act or of said Chapter 99. The Commission shall fix the compensation of such agents, subject to the approval of the Governor and Council. Said agent or agents shall have all the powers of the sheriff in any county, with reference to the laws concerning liquor and beverage, and the enforcement of such laws, either in cooperation with, or independently of, the officers of any county, city or town. Said agent or agents shall give bond, in the form prescribed for sheriffs, for the faithful performance of duty, in such sum and with such sureties as the Governor and Council shall prescribe. The primary responsibility for the enforcement of all liquor and beverage laws shall be upon the Commission. Any person violating the provision of this act or of Chapter 99 of the Laws of 1933, may be prosecuted by the Commission or any of its agents as herein provided, or by county or city solicitors, or by sheriffs or their deputies, or by police officials of cities or towns.

38. *Fines.* All fines imposed and collected for the violation of the provisions of this act and of Chapter 99 of the Laws of 1933, shall be paid to the State, county, city or town the officials of which instituted the prosecutions.

39. *Preference Given Ex-Service Men.* Any person who served in the forces of the United States during any war in which the United States was engaged, and received an honorable discharge from such service, shall, if qualified, be given preference in appointments under the provisions of Sections 7, 8, 10 and 37 of this act.

40. *Constitutional Construction.* The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to loan monies from the general funds up to, but not to exceed two hundred and fifty



thousand dollars (\$250,000.00) for the operating capital of this act. All net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931 entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

42. *Expiration Date of Licenses.* Any license issued under the provisions of this act shall expire June 15th of each year unless sooner revoked for cause by the Commission.

43. *Repeal.* Chapter 144 of the Public Laws relative to the sale of intoxicating and spirituous liquor, and Sections 2, 3, 4, 5, 22 and 28 of Chapter 99 of the Laws of 1933 are hereby repealed. All powers and duties now conferred and imposed upon the Control Commission by law shall be transferred to the State Liquor Commission herein constituted.

44. *Continuation of Permits.* All permits heretofore issued by the Control Commission under the authority of Chapter 99 of the Laws of 1933 shall be continued in force until the expiration date of such permits.

45. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Keefe of Dover the rules were suspended and the Clerk instructed to read only such portions as were amended by the Senate.

Mr. Callahan of Keene moved that the House non-concur in the amendments sent down from the Honorable Senate and ask for a committee of conference.

With this motion pending Mr. Tufts of Exeter asked that an informal vote be taken as to making Friday a working day.

The vote was so taken and decided in the affirmative.

Mr. Lambert of Manchester moved the previous question. The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Callahan of Keene.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of the committee of conference Messrs. Hunter of Hanover, Baker of Concord, Dickinson of Danville, Keefe of Dover and Shaw of Franklin.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 489, An act to regulate traffic in intoxicating liquor and the President appointed on the part of the Senate Senators Dale, Doe, and Alexander.

On motion of Mr. Hart of Wolfeboro at 5:05 o'clock the rules were suspended and the House adjourned until 10:00 o'clock on Friday morning.

---

FRIDAY, JUNE 1, 1934.

The House met at 10 o'clock.

Prayer was offered by the Chaplain as follows:

O Thou who has taught us, that we ought always to pray and not to faint, we pray for the millions who are out of work, for millions more who fear they labor in vain or that their opportunity will be taken from them, for capitalists whose investment may be their ruin, for millions who are at the mercy of conditions for which they are not responsible.

In the midst of suspicion and desperation, make us willing to demand as much of ourselves as we are wont to demand of others.

We are engaged in a great experiment to see whether government of the people, by the people and for the people shall, or shall not perish from the earth.

Forgive our lost opportunities and our lame excuses. Make us reverent in the use of freedom and just in the exercise of power.

May the things unseen and eternal assert their sovereignty over our souls. Then shall our peace be like a river, and our righteousness as the waves of the sea. AMEN.

The House took a recess subject to the call of the Speaker.

#### AFTER RECESS

The House was called to order.

The House took a recess subject to the call of the Speaker.

#### AFTER RECESS

The House was called to order.

#### REPORT OF COMMITTEE

The committee of conference to whom was referred House Bill No. 489, An act to regulate the traffic in intoxicating liquor, reported the same with the recommendation that the House recede from its position of non-concurrence and that the Senate recede from its position in adopting its amendments and adopt the following amendments.

CHARLES M. DALE,

HAVEN DOE,

A. C. ALEXANDER,

*Conferees on the part of the Senate.*

E. H. HUNTER,

ALBERT S. BAKER,

JAMES S. SHAW,

F. CLYDE KEEFE,

RICHARD H. DICKINSON,

*Conferees on the part of the House.*

Amend Section 5 by striking out in line 4 the words "and all funds" and by inserting after the word "and" the word "the," so that said section as amended shall read: 5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and the property of the State in the custody of the control commission shall automatically be transferred to the Commission.

Amend Section 16 by adding at the end thereof the following: and liquor sold in a State store shall not be consumed in any public place, so that said section as amended shall read: 16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission, containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time and liquor sold in a State store shall not be consumed in any public place.

Amend Section 23 by striking out in lines 5 and 6 the words "and shall forward to the Commission monthly a statement of the name and address of each purchaser," so that said section as amended shall read: 23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be

one dollar (\$1.00) per annum. Said licensee may purchase from the Commission for use in compounding medicines such liquor as may be necessary.

Amend said bill by striking out Section 29 and inserting in place thereof the following: 29. *Transportation*. No person shall transport liquor in this State unless said liquor was legally purchased from a State store or from a licensee of the State where purchased; provided that no person shall transport liquor for resale except for resale to State stores and licensees in this State or any other State.

Amend said bill by inserting Section 34. *Advertising*. All advertising of liquor or beverages within the State, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifically authorized by the Commission.

Amend Section 39 by inserting in line 4 after the word "if" the word equally, so that said section as amended shall read: 39. *Preference Given Ex-Service Men*. Any person who served in the armed forces of the United States during any war in which the United States was engaged, and received an honorable discharge from such service, shall, if equally qualified, be given preference in appointments under the provisions of Sections 7, 8, 10 and 37 of this act.

Amend said bill by adding after the word "act" in line 4 the words: At least every six months, so that said section as amended shall read: 41. *Funds*. The Governor and Council are hereby authorized to issue short term notes or to transfer monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.



The question being on the report of the committee of conference.

(Discussion ensued)

On motion of Mr. Hart of Wolfeboro the sections of the bill were taken up *ad seriatim*.

Section 1. On motion of Mr. Welch of Andover the section was adopted.

Section 2. On motion of Mr. Welch of Andover the section was passed over.

Section 3. On motion of Mr. Welch of Andover the section was passed over.

Section 4. On motion of Mr. Welch of Andover the section was passed over.

Section 5. On motion of Mr. Hunter of Hanover the report of the committee of conference was adopted.

Section 6. On motion of Mr. Leahy of Claremont the section was adopted.

Section 7. On motion of Mr. Hart of Wolfeboro the section was adopted.

Section 8. On motion of Mr. Shaw of Franklin the section was adopted.

Section 9. On motion of Mr. Hunter of Hanover the section was adopted.

Section 10. On motion of Mr. Hart of Wolfeboro the section was adopted.

Section 11. On motion of Mr. Hunter of Hanover the section was adopted.

Section 12. On motion of Mr. Baker of Concord the section was adopted.

Section 13. On motion of Mr. Keefe of Dover the section was adopted.

Section 14. On motion of Mr. Blandin of Bath the section was adopted

Section 15. On motion of Mr. Leahy of Claremont the section was adopted.

Section 16. On motion of Mr. Seavey of Rochester the report of the committee of conference was adopted.

Section 17. On motion of Mr. Shaw of Chichester the section was adopted.

Section 18. On motion of Mr. Baker of Concord the section was adopted.

Section 19. On motion of Mr. Roberts of Jefferson the section was adopted.

Section 20. On motion of Mr. Seymour of Carroll the section was adopted.

Section 21. On motion of Mr. Pingree of Berlin the section was adopted.

Section 22. On motion of Mr. Lambert of Manchester the section was adopted.

Section 23. The section was passed over.

Section 24. On motion of Mr. Baker of Concord the section was adopted.

Section 25. On motion of Mr. Tufts of Exeter the section was adopted.

Section 26. On motion of Mr. Bryer of Sandwich the section was adopted.

Section 27. On motion of Mr. Emerson of Hampstead the section was adopted.

Section 28. On motion of Mr. Roger of New Ipswich the section was adopted.

Section 29. On a *viva voce* vote the report of the committee of conference was adopted.

Section 30. On motion of Mrs. Brungot of Berlin the section was adopted.

Section 31. On motion of Mr. Molloy of Nashua the section was adopted.

Section 32. On motion of Mr. Blackwood of Concord the section was adopted.

Section 33. On motion of Mr. DuBois of Concord the section was adopted.

Section 34. The section was passed over.

Section 35. On motion of Mr. Henderson of Durham the section was adopted.

Section 36. On motion of Mr. Shaw of Franklin the section was adopted.

Section 37. The section was passed over.

Section 38. On motion of Mr. Hunter of Hanover the section was adopted.

Section 39. On motion of Mr. Durnin of Ward 4, Dover the section was adopted.

Section 40. On motion of Mr. McGreal of Somersworth the section was adopted.

Section 41. On a *viva voce* vote the report of the committee of conference was adopted.

Section 42. On motion of Mr. Elder of Dover the section was adopted.

Section 43. On motion of Mr. Winkley of Ossipee the section was adopted.

Section 44. On motion of Mr. Adams of Hampton the section was adopted.

Section 45. On motion of Mr. Pierce of Bennington the section was adopted.

Mr. Callahan of Keene desired to be recorded as voting no on the adoption of the above sections.

On motion of Mr. Baker of Concord Sections 2, 3 and 4 were placed last in the order of consideration.

The consideration of the sections which had previously been passed over was made in order.

Section 23. The question being on the report of the committee of conference.

Mr. Dowd of Nashua moved that the report be not adopted.

The question being on the motion of Mr. Dowd of Nashua.  
(Discussion ensued)

Mr. Dowd withdrew his motion.

Mr. Hunter of Hanover moved that the committee of conference be discharged.

On a *viva voce* vote the motion prevailed.

Mr. Boyle of Barrington called for a division but subsequently withdrew his call.

Mr. Dowd of Nashua moved that the House do not adopt the report of the committee of conference on Section 23 and that a new committee of conference be appointed.

Mr. Buzzell of Dover asked for a division.

A division being had 125 members voted in the affirmative and 163 members voted in the negative and the motion did not prevail.

Mr. Lambert of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Callahan of Keene raised the point of order that the committee of conference having been discharged there were no reports to consider.

On motion of Mr. Welch of Andover the vote whereby the committee of conference was discharged was rescinded.

Mr. Baker of Concord moved that the report of the committee of conference on Section 23 be adopted.

The question being on the motion of Mr. Baker.

(Discussion ensued)

Mr. Pingree of Berlin offered the following amendment.

Amend said amendment by striking out all of Section 23 and substituting therefor the following:

23. *Druggists.* In any city or town which has accepted the provisions of this act, the Commission shall license such retail druggists as the Commission may approve, to use and to sell liquor for medicinal, mechanical or chemical purposes, upon payment to the Commission of the sum of two hundred dollars (\$200.00) per annum therefor. Medicinal liquor described in Section 11, hereof may be sold upon the certificate of the purchaser which shall state the use for which it is wanted and which shall be immediately cancelled at the time of the sale in such manner as to show the date of the cancellation. Every retail druggist shall keep a book in which he shall enter at the time of every said sale the name of the purchaser, quantity, price of liquor, purpose for which it was sold and residence by street and number, if there be, of said purchaser. If such sale is made upon prescription of the physician the book shall also state the name of the physician and shall state the use for which the said liquor was prescribed and the quantity to be used for such purpose and shall be cancelled in like manner as the certificate hereinafter mentioned. The book, certificates, prescriptions provided for in

this section shall be at all times open to the inspection of the Commission and its agents, the mayor and aldermen, selectmen, overseers of the poor, sheriffs, constables, and police officers. In any city or town which has not accepted the provisions of this act such permit shall authorize the druggist to use liquor and to sell medicinal liquor on the prescription of a practicing physician. All liquors possessed, used or sold by druggists shall be purchased from the Commission.

The Speaker ruled that amendments were not in order.

The question being on the motion of Mr. Baker of Concord.

(Discussion ensued)

On a *viva voce* vote the Chair was in doubt.

Mr. Baker of Concord asked for a division.

A division was taken but before declaring the vote the Speaker called for another division.

A division being taken 160 members voted in the affirmative and 152 members voted in the negative and the report of the committee of conference on Section 23 was adopted.

Mr. Leahy of Claremont demanded the yeas and nays and the roll was called with the following result.

#### YEAS 178

ROCKINGHAM COUNTY: Sawyer of Atkinson, Swasey, Brown of Deerfield, Edwards, Ladd, Russell of Exeter, Tufts, Gowen, Emerson of Hampstead, Adams of Hampton, Pridham, Turcotte, Walker, Seavey of North Hampton, Giles, Perkins of Nottingham, Peaslee of Plaistow, Smith of Portsmouth, Cogan, Harmon, Purinton, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Boyle, Elder, Goodwin of Dover, Keenan of Dover, Dion of Dover, Grimes, Martin of Dover, Buzzell, Durnin of Dover, Ward 4, Keefe, Durnin of Dover, Ward 5, Henderson, Breckenridge, Tuttle, Fisher of Lee, Roberts of Milton, Jones of New Durham, Gotts, Foss, Masse, Lacasse, Spiers, Durgin.

BELKNAP COUNTY: Little, Piper, Smith of Center Harbor, Hammond, Page, Guay, Simoneau, Rollins, Hoyt of Laconia, Merrill of Laconia, Newell, Neal, Smith of Tilton.



CARROLL COUNTY: Simpson, Davis of Conway, Towle, Staples, Goss, Mason of Tamworth.

MERRIMACK COUNTY: Gamache, Welch, Fisher of Boscawen, Shaw of Chichester, Coakley, Matott, Hill, Lindgren, Baker, Dame, Bean of Concord, McLeod, Nash, Sturtevant, Brunel, Russell of Concord, Ford, Wheeler, Worth, Douphinett, Shaw of Franklin, Twombly of Hill, Drake of Hooksett, Stobie, Rice of Hopkinton, Marston, Shepard, Caveney, Duford, Gilman, Jewell, Mock, Stearns.

HILLSBOROUGH COUNTY: McNamee, Flint, Pierce, Reynolds, Charois, Boynton of Hillsborough, Craine, Blood, Legallee, Holt, Bergholtz, Gage, Nerbonne, Allen, Phinney, Pillsbury, Richardson of Manchester, Barry of Manchester, Ward 11, Carter, Howison, Wadleigh, Weston, Barker, Foote, Dupont, Sylvestre, Currier of Pelham, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Firmin, Hanson, Winn, McAllister, Jones of Keene, Barrett of Keene, Gates, Spaulding, Wardwell, Duffy, Wiswall, Rice of Rindge, Granger, Clark of Troy, Burbank of Winchester, Kellom.

SULLIVAN COUNTY: Kemp, Hamlin, Rowell of Claremont, Quimby, Holmes, Fairbanks, Reed.

GRAFTON COUNTY: Plumer, Ellis, Blandin, Goodwin of Bethlehem, Day of Canaan, Martin of Grafton, Guyer, Hoyt of Hanover, Hunter of Hanover, Perley, Albee, Gadbois, Mooney, Lufkin, Howard, Huckins, Renfrew, Merrill of Thornton.

COOS COUNTY: Bell, Mason of Berlin, Smith of Berlin, Palmer, Steady, Morris, Fogg, Baldwin, Flanders, Pratt.

#### NAYS 140

ROCKINGHAM COUNTY: Fifield, Fitts, Dickinson, Greenough, Hatch, Day of Exeter, Barrett of Portsmouth, Pray, Yeaton, Rose, Marden.

STRAFFORD COUNTY: Layn, Seavey of Rochester, Lagueux, McGreal.

BELKNAP COUNTY: Wiley, Stafford, Prescott, Harvey, Wallis.

CARROLL COUNTY: Winkley, Bryer, Sanborn of Wakefield, Clow, Hart of Wolfeboro.

MERRIMACK COUNTY: Conant, DuBois, Blackwood, Lee, Ahern, Haskell, Laramie, Rousseau, Perkins of Pittsfield.

HILLSBOROUGH COUNTY: Fessenden, Hambleton, Hart of Goffstown, Prince, Wright, Emery of Manchester, Knowlton of Manchester, Johnson, McIntire of Manchester, Ward 2, Barry of Manchester, Ward 3, Kendall, Jennings, Clancy, O'Brien, Sweeney, Trinity, Bresnahan, Connelly, O'Connor, Sullivan, Berry, Farrell, LaForest, Lavigne, Peloquin, Burke, Chevette, Cote, of Manchester, Ward 8, Donnelly, Moran, Skeffington, McBride, Kearns, Madden, McIntyre of Manchester, Ward 10, Kenney, McLaughlin, Roukey, Desruisseaux, Gauthier, Letendre, Soucy, Boisvert, Ladouceur, Lambert, Lamy, Lesmerises, Dowd, Hammar, Boilard, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellevance, Burns, Ravenelle, Lindquist, Morse, Wills, Dionne of Nashua, Ward 8, Glynn, Molloy, Noel, Bouthillier, Roger, Nichols.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Callahan, Knowlton of Keene, Sibley, Graves.

SULLIVAN COUNTY: King, Leahy, Pederson, Putnam, Condon.

GRAFTON COUNTY: Lidstone, Mitchell, Hoyt of Lebanon, Manson, McNamara, Verrill, Dunbar.

COOS COUNTY: Bagley, Barden, Pingree, Brungot, Bixby, Myler, Seymour, Dickerman, Ramsay, Thurston, Dube, Roberts of Jefferson, Blais.

Sawyer of Woodstock, voting Yes, paired with Osborne of Sunapee voting No.

and the report of the committee of conference on Section 23 was adopted.

Section 34. The question being on the report of the committee of conference.

Mr. Simpson of Bartlett moved that the section be not adopted.

The question being on the motion of Mr. Simpson.

(Discussion ensued)

Mr. Welch of Andover moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the report of the committee of conference.

On a *viva voce* vote the report was adopted.

Section 37. On motion of Mr. Welch of Andover the report of the committee of conference was adopted.

Sections 2, 3 and 4. Mr. Blandin of Bath moved that the House conference committee be instructed to return to the Senate conference committee and agree to a four man commission.

The question being on the motion of Mr. Blandin.

(Discussion ensued)

Mr. Hunter of Hanover moved to amend the motion by inserting the words "a new house conference committee be appointed."

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was adopted.

The question being on the motion as amended.

Mr. Pingree of Berlin raised the point of order that having spoken on the original motion he should be allowed to speak on the amendment.

The Speaker ruled the point well taken.

Mr. Callahan of Keene raised the point of order that the member speaking was not discussing the question.

The Speaker ruled the point well taken.

(Discussion ensued)

Mr. Osborne of Sunapee moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion as amended.

Mr. Keefe of Dover asked for a division.

A division being taken 139 members voted in the affirma-

tive and 160 members voted in the negative and the motion did not prevail.

Mr. Keefe of Dover demanded the yeas and nays but subsequently withdrew his demand.

Mr. Smith of Portsmouth moved that the Speaker appoint a new committee consisting of 5 members of the House to meet in conference with the Senate committee and that they be instructed to vote for a 2 man commission.

The question being on the motion of Mr. Smith.

Mr. Callahan of Keene moved that the House adjourn to meet on Monday morning at 10:00 o'clock.

Mr. Holt of Lyndeborough demanded the yeas and nays but subsequently withdrew his demand.

Mr. Callahan of Keene withdrew his motion to adjourn.

The question being on the motion of Mr. Smith of Portsmouth.

Mr. Callahan of Keene moved to amend the motion by striking out the words "two."

The question being on the amendment.

Mr. Gage of Manchester asked for a division.

A division was taken but before the vote was declared the Speaker called for another division.

A division being taken 92 members voted in the affirmative and 204 members voted in the negative and the amendment was not adopted.

The question being on the motion of Mr. Smith of Portsmouth.

Mr. Blandin of Bath offered an amendment inserting the word and figure "1 or" before the figure 2.

The question being on the amendment.

(Discussion ensued)

On a *viva voce* vote the amendment was not adopted.

The question being on the motion of Mr. Smith of Portsmouth.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of the committee of conference Messrs. Shaw of Chichester, Leahy of Claremont,

Seavey of Rochester, Pingree of Berlin and Osborne of Sunapee.

On motion of Mr. Roberts of Jefferson the committee was instructed to report in 30 minutes.

The House then took a recess.

### AFTER RECESS

Mr. Baker of Concord moved that when the House adjourns from the morning session it be to meet on Monday morning at 10:00 o'clock.

On a *viva voce* vote the affirmative prevailed.

### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to accede to the request of the House of Representatives for another committee of conference on House Bill No. 489, An act to regulate the traffic in intoxicating liquor.

### COMMITTEE REPORT

Mr. Shaw of Chichester for the committee of conference reported that the committee had met the Senate conferees, discussed the matter in dispute and found themselves unable to agree.

The report was accepted.

Mr. Smith of Portsmouth moved that the Committee be instructed to return for a further conference with no instructions as to procedure.

The question being on the motion of Mr. Smith of Portsmouth.

Mr. McGreal of Somersworth offered an amendment that the same committee be instructed to return for a further conference with instructions to vote for a 4 man commission.

The question being on the amendment.

Mr. McGreal of Somersworth asked for a division.

A division being taken 137 members voted in the affirmative and 146 members voted in the negative and the amendment was not adopted.



Mr. McGreal of Somersworth demanded the yeas and nays.

Mr. Pray of Portsmouth moved that the House adjourn.

The question being on the motion of Mr. Pray of Portsmouth.

Mr. Holt of Lyndeborough demanded the yeas and nays but subsequently withdrew his demand.

Mr. Pray of Portsmouth withdrew his motion to adjourn.

Mr. Sanborn of Enfield moved that the House adjourn.

Mr. Clancy of Manchester demanded the yeas and nays on the motion to adjourn, but before the roll call was completed withdrew his demand.

Mr. Sanborn withdrew his motion to adjourn.

Mr. McGreal of Somersworth having demanded the yeas and nays the roll was called with the following result.

#### YEAS 130

ROCKINGHAM COUNTY: Hatch, Ladd, Day of Exeter, Tufts, Pridham, Turcotte, Barrett of Portsmouth, Yeaton, Rose, Stevens of Portsmouth.

STRAFFORD COUNTY: Boyle, Elder, Goodwin of Dover, Keenan of Dover, Dion of Dover, Durnin of Dover, Ward 4, Keefe, Fisher of Lee, Masse, Lacasse, Spiers, Lagueux, McGreal.

BELKNAP COUNTY: Piper, Smith of Center Harbor, Guay, Simoneau, Neal, Prescott.

CARROLL COUNTY: Davis of Conway, Sanborn of Wakefield.

MERRIMACK COUNTY: Gamache, Welch, Coakley, Baker, Dame, Lee, Ahern, Douphinett, Drake of Hooksett, Shepard, Duford, Mock, Stearns.

HILLSBOROUGH COUNTY: Flint, Pierce, Charois, McIntire of Manchester, Ward 2, Jennings, Nerbonne, Phinney, Richardson of Manchester, O'Brien, Sweeney, Bresnahan, Connelly, O'Connor, Sullivan, Lavigne, Peloquin, Chevette, Cote of Manchester, Ward 8, Delisle, Donnelly, Moran, Getz, Kearns, Madden, Kenney, McLaughlin, Roukey, Soucy, Ladouceur, Lambert, Lamy, Lesmerises, Weston,

Hammar, Boilard, Dupont, Sylvestre, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellavance, Ravenelle, Lindquist, Morse, Wills, Dionne of Nashua, Ward 8, Molloy, Bouthillier, Keenan of Peterborough, Nichols, Frye.

CHESHIRE COUNTY: Winn, Duffy, Wiswall, Granger, Clark of Troy, Kellom.

SULLIVAN COUNTY: Quimby, Condon.

GRAFTON COUNTY: Ellis, Blandin, McNamara, Gadbois, Mooney, Lufkin, Howard.

COOS COUNTY: Bagley, Barden, Bell, Smith of Berlin, Palmer, Steady, Bixby, Myler, Seymour, Dickerman, Ramsay, Thurston, Dube, Roberts of Jefferson, Morris, Fogg, Blais, Pratt.

#### NAYS 152

ROCKINGHAM COUNTY: Swasey, Fifield, Fitts, Dickinson, Brown of Deerfield, Edwards, Greenough, Russell of Exeter, Gowen, Adams of Hampton, Walker, Seavey of North Hampton, Giles, Perkins of Nottingham, Peaslee of Plaistow, Pray, Smith of Portsmouth, Cogan, Harmon, Purinton, Adams of Seabrook, Emerson of Windham.

STRAFFORD COUNTY: Grimes, Martin of Dover, Durnin of Ward 5, Dover, Henderson, Roberts of Milton, Jones of New Durham, Gotts, Foss, Seavey of Rochester, Durgin.

BELKNAP COUNTY: Page, Beane of Laconia, Rollins, Hoyt of Laconia, Stafford, Merrill of Laconia, Newell, Harvey, Wallis, Smith of Tilton.

CARROLL COUNTY: Simpson, Towle, Staples, Goss, Mason of Tamworth, Clow, Hart of Wolfeboro.

MERRIMACK COUNTY: Fisher of Boscawen, Shaw of Chichester, Matott, Hill, Lindgren, DuBois, Bean of Concord, McLeod, Nash, Sturtevant, Blackwood, Brunel, Haskell, Ford, Wheeler, Shaw of Franklin, Twombly of Hill, Stobie, Rice of Hopkinton, Caveney, Gilman, Perkins of Pittsfield, Jewell.

HILLSBOROUGH COUNTY: McNamee, Holbrook, Fessenden, Hambleton, Hart of Goffstown, Prince, Reynolds, Boynton

of Hillsborough, Craine, Wright, Holt, Emery of Manchester, Knowlton of Manchester, Bergholtz, Gage, Johnson, Kendall, Allen, Pillsbury, Clancy, Farrell, Laforest, Burke, Craig of Manchester, Skeffington, Desruisseaux, Carter, Howison, Wadleigh, Barker, Foote, Dowd, Roger, Currier of Pelham, Peaslee of Weare.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Firmin, Hanson, Callahan, Knowlton of Keene, McAllister, Jones of Keene, Sibley, Barrett of Keene, Gates, Spaulding, Wardwell, Rice of Rindge, Graves, Burbank of Winchester.

SULLIVAN COUNTY: Kemp, Hamlin, Leahy, Rowell of Claremont, Holmes, Fairbanks, Reed, Osborne.

GRAFTON COUNTY: Mitchell, Day of Canaan, Sanborn of Enfield, Martin of Grafton, Guyer, Hoyt of Hanover, Hunter of Hanover, Drake of Lebanon, Hoyt of Lebanon, Manson, Perley, Huckins, Renfrew, Merrill of Thornton, Dunbar.

COOS COUNTY: Mason of Berlin, Pingree, Brungot, Baldwin, Flanders.

and the amendment was not adopted.

The question being on the motion of Mr. Smith of Portsmouth.

On a *viva voce* vote the motion prevailed.

The House then took a recess.

## AFTER RECESS

### COMMITTEE REPORT

Mr. Shaw of Chichester for the committee of conference reported having met the Senate conferees. He reported progress and promised a complete report as early as possible Monday morning.

On motion of Mr. Smith of Portsmouth at 9:40 o'clock the House adjourned.

---

MONDAY, JUNE 4, 1934.

The House met at 10 o'clock.

Prayer was offered by the Rev. William Weston of Milford.

## LEAVES OF ABSENCE

Mr. Emerson of Hampstead was granted leave of absence for today on account of illness.

Mr. Hatch of Derry was granted leave of absence for today on account of death in his family.

## RESOLUTIONS

Mr. Barrett of Portsmouth offered the following resolutions:

WHEREAS, The House has learned with deep regret of the death of Representative Edward M. Buckley of Portsmouth,

*Resolved*, That a committee of five be appointed to prepare suitable resolutions and that the Clerk be instructed to procure a floral tribute.

On a *viva voce* vote the resolutions were adopted.

The Speaker appointed as members of such committee Messrs. Andrew J. Barrett, James R. McNeil, William Cogan, Charles A. Stevens and Harold M. Smith of Portsmouth.

The House took a recess.

## AFTER RECESS

The House was called to order.

## MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 59, An act relating to hawkers and peddlers.

Senate Bill No. 60, An act relating to itinerant vendors.

Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

## SENATE BILLS READ

Senate Bill No. 59, An act relating to hawkers and peddlers.

The bill was read a first and second time.

Mr. Keefe of Dover moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Keefe.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Keefe the rules were further suspended and the bill made in order for a third reading at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 60, An act relating to itinerant vendors.

The bill was read a first and second time.

Mr. Smith of Portsmouth moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Smith.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Smith the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

The House took a recess until 1 o'clock.

#### AFTER RECESS

The House was called to order.

#### COMMITTEE REPORT

Mr. Shaw of Chichester for the Committee of Conference presented the following report.

The Committee of Conference, to whom was referred House Bill No. 489, in new draft as amended by Senate Committee, An act to regulate the traffic in intoxicating liquor, report the same with the recommendation that the House



recede from its position of non-concurrence and that the Senate recede from its position and adopt the following amendments.

CHARLES M. DALE,  
HAVEN DOE,  
A. C. ALEXANDER,

*Conferees on the part of the Senate.*

JOHN L. T. SHAW,  
ALBERT D. LEAHY,  
RALPH F. SEAVEY,  
R. W. PINGREE,  
L. L. OSBORNE,

*Conferees on the part of the House.*

Amend said bill by striking out Sections 2, 3 and 4 and inserting in place thereof the following sections:

2. *Commission Established.* Within ten days from the passage of this act the Governor and Council shall appoint a State Liquor Commission consisting of three members, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two and three years, respectively, the length of the term of each to be fixed in his Commission and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said Commission shall be appointed in the month of June of each year for a term of three years from the first day of July next ensuing. If a vacancy shall occur in said Commission it shall be filled for the remainder of the term. Any or all of said commissioners may be removed by the Governor and Council for cause.

3. *Chairman; Compensation.* The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each member of the Commission shall be four thousand dollars and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging

while in Concord. Said members of the Commission shall devote their entire time to the service of said Commission. No member of the Commission shall be directly or indirectly interested in the liquor or beverage business. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council.

4. *Bond; Report.* Before entering upon the duties of his office each member of the Commission shall give bond in the sum of ten thousand dollars, with sufficient sureties to be approved by the Governor and Council, conditioned for the faithful discharge of the duties of his office, which bond shall be deposited and safely kept in the office of the Secretary of State.

The report was accepted.

Mr. Smith of Portsmouth moved that the recommendations of the committee be adopted.

The question being on the motion of Mr. Smith.

(Discussion ensued)

Mr. Donnelly of Manchester moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Smith.

On a *viva voce* vote the affirmative prevailed.

The House took a recess.

## AFTER RECESS

### RESOLUTION

On motion of Mr. Conner of Exeter.

*Resolved*, That the Clerk of the House be instructed to have printed 2000 copies of House Bill No. 489 as finally passed by the General Court—two copies to be sent to each member of the House and Senate and the balance to be given to the Secretary of State for distribution as requested.

On motion of Mr. Hunter of Hanover.

*Resolved*, That the Honorable Senate be requested to meet

with the House at its earliest convenience in joint convention for the purpose of receiving a message from His Excellency, Governor John G. Winant.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had adopted the report of the committee of conference on House Bill No. 489 (In new draft), An act to regulate the traffic in intoxicating liquor, with amendments, as follows:

Amend Section 5 by striking out in line 4 the words "and all funds" and by inserting after the word "and" the word "the," so that said section as amended shall read: 5. *Control Commission Abolished.* After the members of the Commission have been appointed and have qualified, the terms of office of the members of the control board established by Chapter 99, Laws of 1933, shall expire, and the property of the State in the custody of the control commission shall automatically be transferred to the Commission.

Amend Section 16 by adding at the end thereof the following: and liquor sold in a State store shall not be consumed in any public place, so that said section as amended shall read: 16. *Packages.* All liquor sold in State stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the Commission containing such quantity as said Commission shall prescribe; and the Commission is authorized to prescribe the form of the bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the State stores, plus a proportionate part of the overhead expenses of the Commission, plus an additional charge; all to be determined by the Commission. Each package shall have the price fixed by the Commission stamped clearly thereon. Each purchaser of liquor from a State store or a sales agent shall sign a requisition therefor in such form as the Commission shall prescribe. Said Commission is hereby authorized to limit the amount of liquor

which may be purchased by any person at any one time and liquor sold in a State store shall not be consumed in any public place.

Amend Section 23 by striking out in lines 5 and 6 the words "and shall forward to the Commission monthly a statement of the name and address of each purchaser," so that said section as amended shall read: 23. *Licenses for Druggists.* The Commission may issue to any retail druggist a license which will entitle said licensee to sell liquor for medicinal purposes upon the prescription of a physician practicing in the State. Such licensee shall keep a record of the liquor so sold on prescription, the quantity and price of the liquor so sold and the name of the physician prescribing the same. The Commission may make such rules and regulations as shall be necessary to carry out the provisions of this section, but may not restrict the time when such liquor may be sold. All liquor purchased by druggists for sale under the provisions of this section shall be purchased from the Commission. The fee for the license provided for in this section shall be one dollar (\$1.00) per annum. Said licensee may purchase from the Commission for use in compounding medicines such liquor as may be necessary.

Amend said bill by striking out Section 29 and inserting in place thereof the following: 29. *Transportation.* No person shall transport liquor in this State unless said liquor was legally purchased from a State store or from licensee of the State where purchased; provided that no person shall transport liquor for resale except for resale to State stores and licensees in this State or any other State.

Amend said bill by inserting Section 34. *Advertising.* All advertising of liquor or beverages within the State, other than through the medium of newspapers, magazines, periodicals, and radio broadcasting, is hereby prohibited except as specifically authorized by the Commission.

Amend Section 39 by inserting in line 4 after the word "if" the word equally, so that said section as amended shall read: 39. *Preference Given Ex-Service Men.* Any person who served in the armed forces of the United States during

any war in which the United States was engaged, and received an honorable discharge from such service, shall, if equally qualified, be given preference in appointments under the provisions of Sections 7, 8, 10 and 37 of this act.

Amend said bill by adding after the word "act" in line 4, Section 41, the words: At least every six months, so that said section as amended shall read: 41. *Funds.* The Governor and Council are hereby authorized to issue short term notes or to transfer monies from the general funds up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, an act providing a special fund for the rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

Amend said bill by striking out Sections 2, 3 and 4 and inserting in place thereof the following sections:

2. *Commission Established.* Within ten days from the passage of this act the Governor and Council shall appoint a State Liquor Commission consisting of three members, not more than two of whom shall belong to the same political party, who shall hold office for the terms of one, two and three years, respectively, the length of the term of each to be fixed in his commission and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1935, one member of said commission shall be appointed in the month of June of each year for a term of three years from the first day of July next ensuing. If a vacancy shall occur in said commission it shall be filled for the remainder of the term. Any or all of said commissioners may be removed by the Governor and Council for cause.

3. *Chairman; Compensation.* The chairman of the Commission shall be appointed and commissioned as such. The annual salary of each member of the Commission shall be



four thousand dollars and the commissioners shall receive their reasonable expenses while traveling in the performance of their duties, provided that they shall not be allowed as expenses travel between their places of residence and their office in Concord, nor shall they be allowed board or lodging while in Concord. Said members of the Commissions shall devote their entire time to the service of said commission. No member of the Commission shall be directly or indirectly interested in the liquor or beverage business. The compensation and expenses of the commissioners and the expenses of the administration of this act shall be paid by the State on the warrant of the Governor with the approval of the Council.

4. *Bond; Report.* Before entering upon the duties of his office each member of the Commission shall give bond in the sum of ten thousand dollars, with sufficient sureties to be approved by the Governor and Council, conditioned for the faithful discharge of the duties of his office, which bond shall be deposited and safely kept in the office of the Secretary of State.

The message further announced that the Senate had voted to accede to the request of the House of Representatives and will meet them in joint convention immediately.

#### JOINT CONVENTION

The Honorable Senate then came in and the two branches being in convention, on motion of Mr. Dow of Claremont:

*Resolved,* That a committee of five be appointed to wait upon His Excellency, the Governor and inform him that the House and Senate have met in joint convention for the purpose of receiving any communication he may be pleased to make.

The Speaker appointed as members of such committee, Messrs. Dow of Claremont, Shaw of Chichester, Kearns of Manchester, Senator McLean of District No. 3 and Senator Bouthillier of District No. 13.

## MESSAGE OF THE GOVERNOR

His Excellency the Governor then came in and delivered the following address.

## MEMBERS OF THE CONVENTION:

Three weeks ago we gathered here together in special session. At that time I made some brief remarks and I think I suggested that there might be a difference of opinion among the membership of the Convention as to the problem that we had to solve. I also suggested that I thought that this problem deserved our single-minded attention, that we should study the liquor problem by itself and on its merits.

I want first to thank you for carrying out that principle of action. The integrity of the House and Senate in meeting this problem is above reproach.

I told you then that in my judgment New Hampshire was happier under prohibition than it would be under any other form of control. I did not have to tell you that the citizenry of this State were not in agreement with that position.

You have enacted a measure, as I understand it, you have come to an agreement on a bill. The underlying principle of that measure, or rather the merit of it as I see it, is the fact that we have attempted to reduce and largely eliminate private profit in handling hard liquor.

I understand that your bill permits the sale of liquor by the glass in hotels. I want to say that I personally am not in agreement with your position on that issue.

I understand also that your bill permits the sale of liquor by clubs. I personally am not in agreement with the licensing of clubs.

You, more intimately represent the people of the State of New Hampshire than a man holding executive office. There are, however, problems that confront the executive that I believe it is my duty to point out to you and there are changes in this measure which I would request you to make.

May I say at this time that I have refrained from attempting to influence in any way any man or woman who is either a member of the House or Senate on the measure or on the problem that has been before you. I do feel at this time

that, as I have said, it is my duty to tell you my position on certain sections of your bill.

I believe you could helpfully incorporate in the measure, a clause forbidding booths of more than 42 inches in height from any place that sells beer, wines or hard liquors. I believe also that in licensing clubs you should license them for convenience and not for profit. It seems to me that you should state clearly in the bill that clubs can not be engaged in the profitable sale of liquor. Wherever that has been permitted there has been serious abuse. I believe by stating, or forbidding profit in your measure and calling for a monthly accounting, a sworn statement, that you will avoid what will inevitably be an impossible administrative problem and also a serious abuse. Then in going over this measure carefully it has seemed to me that if you want to avoid bootlegging which we know exists under State control, the licensing system, as well as under prohibition, that you should include in the measure the prohibition of illegal transportation and illegal possession and make some limitation as to the amount of liquor a man may purchase outside the State and bring into the State.

If you limit the amount that a man might bring into the State to three quarts of hard liquor and permit an additional amount where permission was granted by the Commission that you would greatly strengthen the orderly enforcement of this act.

And then there is one other suggestion which came from the Comptroller's office after conference with the Attorney General. He suggests that we insert the word "loan" rather than retaining the word "transfer" in setting aside the fund necessary for financing State stores. Those measures in themselves are very simple and could be adopted without delay and I think that they would allow you to retain in the bill all those major features upon which you have come to an agreement.

There is one other thing which I would like to say to you at this time.

I told you that if you wanted to call another session, that with the consent of the majority of the Council which I be-

lieved would be granted, that I would call such extra session. I would like to say that in my personal judgment there are no matters of such pressing importance that such a session is necessary. That only is my personal opinion.

In regard to relief matters which we have seen discussed in newspapers of the State, I would like to say that at the end of the first ten months we expended \$118,000 more than the average allotments that the total appropriations would permit. In other words, instead of spending \$200,000 a month over the first ten months we had expended \$118,000 more than that amount. I would like also to say to you that I got an additional grant sometime ago from the Federal Government of \$129,000 which is still in the treasury which offsets this deficit. The only serious difficulty that from a financial standpoint confronts the relief administration is the cash position under which we are operating. As you know, under the act itself that the State first makes advances and then the Federal Government and the local governments reimburse the State for their outspending on a basis of 25 percent of federal monies, 25 percent of local monies, the State contributing 50 percent of all costs.

We have been slow in collecting from local communities and I believe the fault has been our fault and not that of local communities.

Where we have billed local communities they have been prompt in making payment when we have made it known that prompt payment was necessary.

I asked the Federal Administrator last week if he would be willing to make advances to the State in order that we might establish sufficient working capital to continue under our present working arrangements and he told me that he could do so and that he would do so. I am not asking you for any additional funds at this time. I want to say that when this act was first introduced into the Legislature it called for a 24 months period and that you limited it to 18 months.

There is a possibility of a shortage of funds at the end of this 18 months period, or there would be had the Federal Government not volunteered to supply us with working capital.

I do not believe that any man among us can measure the needs of the next 6 months or the next 12 months. It is my own sober judgment that the appropriations made under this act will be adequate to continue under the act but my judgment is not infallible. I yet have to find a man who can measure the needs of the future.

There are to-day, this afternoon, on our waiting lists for employment more than 21,000 men and women. These are people actively asking for jobs. They are not those that are on our relief lists. They are those who are asking for jobs in addition to those on our relief lists. That situation presents a problem. How soon will those men get jobs? How long can they hold out before they have to ask for aid? How many able-bodied men on our relief lists can get jobs? How soon can they get off our relief lists? We can only estimate. We don't know.

There have been some bills that have been turned in to me. Several of them. Some have more merit in my judgment than others. The two that I believe have most merit have to do with the milk situation, and the measure that the trustees of the State Hospital have presented requesting funds for a new heating plant. These as I see it are more important than any other measures that have been presented to me.

I believe, even in those situations, we might carry on until the regular session in January. We do not yet know the full measure of action that the Federal Government will take in relation to the general milk situation. There are ways and means under which we could make possible the building of the heating plant, or improvements of the heating plant, at the State Hospital under existing statutes.

I have nothing else to say to you except to thank you for facing one of the most difficult problems that has confronted legislators in this State, as in other States.

No ready answer will ever be made in my judgment that will ever completely solve the liquor problem. We can only do the best we know how and let it go at that. And for your patience and your good nature and for your complete honesty I want to thank you in the name of the State.



His Excellency, the Governor, then retired.

On motion of Senator George of District No. 15 the convention rose.

#### HOUSE

#### RESOLUTIONS

Mr. Hart of Wolfeboro offered the following resolution.

*Resolved*, That His Excellency, Governor John G. Winant, be requested to call a special session of the New Hampshire General Court immediately following this special session to consider bills that have been filed or that may be filed with the Rules Committee that are of immediate statewide necessity.

The question being on the resolution.

(Discussion ensued)

Mr. Callahan of Keene demanded the yeas and nays but subsequently withdrew his demand temporarily.

Mr. Hart of Wolfeboro withdrew his resolution temporarily.

Mr. Barrett of Portsmouth offered the following resolution:

WHEREAS, The Supreme Ruler of the Universe in his infinite wisdom has called home our friend and associate, Edward M. Buckley of Portsmouth,

*Be it Resolved*, That we, the members of the New Hampshire House of Representatives attest our appreciation of his loyal citizenship and devoted service, and

*Be it Further Resolved*, That we extend to the bereaved family our deepest and most sincere sympathy and that the Clerk be instructed to send a copy of these resolutions to the bereaved family.

ANDREW J. BARRETT,  
JAMES R. McNEIL,  
WILLIAM COGAN,  
CHARLES A. STEVENS,  
HAROLD M. SMITH,

*Committee on Resolutions.*

The resolution was unanimously adopted by a rising vote.

## SENATE BILL READ

Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

The bill was read a first and second time.

On motion of Mr. Baker of Concord the bill was laid upon the table.

## COMMITTEE APPOINTED

The Speaker appointed as a committee to act with a like committee from the Honorable Senate in regard to the amendments suggested by His Excellency the Governor to House Bill No. 489, An act to regulate the traffic in intoxicating liquor, Messrs. Shaw of Chichester, Hart of Wolfeboro and Welch of Andover.

## TAKEN FROM THE TABLE

On motion of Mr. Baker of Concord Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter, was taken from the table.

Mr. Smith of Portsmouth moved that the rules be suspended and the printing of the bill and its reference to a committee dispensed with.

The question being on the motion of Mr. Smith.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Smith of Portsmouth the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

The House took a recess for 10 minutes.

## AFTER RECESS

The House was called to order.

A message from the Honorable Senate by its Clerk announced that the Senate had passed the following entitled bill in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 58, An act relating to the city of Berlin.

#### SENATE BILL READ AND REFERRED

Senate Bill No. 58, An act relating to the city of Berlin.

The bill was read a first and second time and referred to the Committee on Appropriations.

On motion of Mr. Pingree of Berlin the rules were suspended and hearings on the bill dispensed with.

The House took a recess.

#### AFTER RECESS

The House was called to order.

#### PERSONAL PRIVILEGE

Mr. Towle of Freedom rose to a question of personal privilege and stated that when the House passed House Bill No. 489, An act to regulate the traffic in intoxicating liquor, he was unable to be present. Had he been present he would have voted against the bill.

#### COMMITTEE REPORTS

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 59, An act relating to hawkers and peddlers.

Senate Bill No. 60, An act relating to itinerant vendors.

The report was accepted.

On motion of Mr. Hunter of Hanover the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 492, An act relating

to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester, with the recommendation that the bill be referred to the Committees on Judiciary and Education.

The report was accepted and the bill read a first and second time.

Mr. Callahan of Keene moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Callahan.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Page of Gilmanton moved that the rules be suspended to allow of the presentation of a report from a committee which had not previously been advertised in the journal.

On a *viva voce* vote the motion prevailed.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934, as an annual meeting, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Page of Gilmanton moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Page of Gilmanton.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of the same member the rules were further

suspended and the bill was made in order for a third reading by its title at the present time.

The bill was then read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Emery of Rochester the rules were suspended to allow of the presentation of reports from a committee which had not previously been advertised in the journal.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Reynolds of Greenfield moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Reynolds.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of the same member the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

Mr. Keefe of Dover for the Committee on Rules, reported the following entitled bill, House Bill No. 495, An act to incorporate the Appalachian Mountain Club, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Hunter of Hanover moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.



The question being on the motion of Mr. Hunter.

(Discussion ensued)

Mr. Hunter of Hanover withdrew his motion and moved that the rules be suspended and the printing be dispensed with.

On a *viva voce* vote the motion prevailed.

The bill was then referred to the Committee on Judiciary.

Mr. Hunter of Hanover for the Committee on Rules reported the following entitled bill, House Bill No. 496, An act relative to the settlement of paupers, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Hunter of Hanover moved that the rules be suspended and the printing of the bill and its reference to a committee be dispensed with.

The question being on the motion of Mr. Hunter.

(Discussion ensued)

Mr. Callahan of Keene moved that the bill be laid upon the table but subsequently withdrew his motion.

(Discussion ensued)

Mr. Mack of Londonderry moved the previous question.

The question being.

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Hunter.

On a *viva voce* vote the motion did not prevail.

The bill was then laid upon the table to be printed and referred to the Committee on Judiciary.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 497, An act relating to the issuance of bonds by the town of Ashland, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

Mr. Baker of Concord moved that the rules be suspended

and the printing of the bill and its reference to a committee dispensed with.

The question being on the motion of Mr. Baker.

(Discussion ensued)

Mr. Perley of Lebanon moved that the bill be laid on the table.

On a *viva voce* vote the motion did not prevail.

Mr. McNeil of Portsmouth called for a division but subsequently withdrew his call.

The question being on the motion of Mr. Baker of Concord.

(Discussion ensued)

On a *viva voce* vote the motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Baker of Concord the rules were further suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

The House then took a recess.

#### AFTER RECESS

The House was called to order.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 492, An act relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester.

House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934, as an annual meeting.

House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934.

House Bill No. 497, An act relating to the issuance of bonds by the town of Ashland.

The message further announced that the Senate had passed

the following entitled bill with amendments in the passage of which amendments it asked the concurrence of the House of Representatives:

House Bill No. 489, An act to regulate the traffic in intoxicating liquor.

Amend Section 12 of said bill by adding at the end thereof the following sentence:

Liquor or beverages shall not be sold in any establishment where booths that are not open at the end or that are more than 42 inches high are used for serving patrons.

So that said section as amended shall read as follows:

12. *Rules and Regulations.* Said commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions of this act, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days except by persons holding licenses under the provisions of Sections 19, 21, 22, and 23. Liquor or beverages shall not be sold in any establishment where booths that are not open at the ends or that are more than 42 inches high are used for serving patrons.

Amend Section 22 of said bill by adding at the end thereof the following new paragraph:

A licensee under this section shall sell for convenience and not for profit, and such licensee shall make a sworn return to the Commission in such form as the Commission in its discretion shall require once each month, showing the income from liquor sold, and the expenses properly chargeable to that part of the business of the licensee. Provided, however, that the cost of a license as provided herein may be considered as a part of the expense of selling liquor.

So that said section as amended shall read as follows:

Section 22. *Clubs.* In towns and cities which have accepted the provisions of this act the Commission may issue licenses to clubs incorporated under the laws of the State of New Hampshire or which are affiliated with any national fraternal organization for the sale to members and bona fide

guests, of liquor by the glass only. The club license fee shall be one hundred dollars (\$100.00) per annum.

A licensee under this section shall sell for convenience and not for profit, and such licensee shall make a sworn return to the Commission in such form as the Commission in its discretion shall require once each month, showing the income from liquor sold, and the expenses properly chargeable to that part of the business of the licensee. Provided, however, that the cost of a license as provided herein may be considered as a part of the expense of selling liquor.

Amend said bill by adding after Section 24 the following new section:

24-a. *Sales.* No manufacturer licensed under the provisions of this act shall sell liquor except to State stores and for shipment outside the State.

Amend Section 28 of said bill by adding after the word "violates" in the fourth line the words, any of the provisions of this act or, so that said section as amended shall read as follows:

28. *Revocation or Suspension.* It shall be the duty of the Commission to cause frequent inspections to be made of all premises with respect to which any license shall have been issued under this act. If any licensee violates any of the provisions of this act or any of the rules and regulations of the commission promulgated pursuant hereto or fails to superintend in person or through a manager approved by the Commission the business for which the license was issued or allows the premises with respect to which the license was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor any person who fails to carry out in good faith the purposes of this act the license may be suspended by the Commission without hearing, and may be revoked after notice and hearing. The Commission is authorized to investigate prices charged for liquor by holders of licenses as provided in this act. The Commission shall have the power to revoke or suspend the license of any licensee if the Commission finds after notice and hearing that the profit made from the sale of liquor by such licensee is unreasonable and excessive.

Amend said bill by striking out Section 29 and inserting in place thereof the following:

29. *Transportation.* No person shall transport liquor in this State in a greater quantity than three quarts, unless said liquor was purchased from a State store. Provided, however, that the Commission in its discretion may grant to an individual, upon application made by such individual, a permit to transport for a specific journey liquor not purchased at a State store for his own personal use, in a quantity not to exceed three gallons. It shall be lawful for common carriers to transport liquor to State stores, to State warehouses, to licensees under this act, to purchasers of liquor at State stores, and from manufacturers to State warehouses, State stores and to the State line for transportation outside the State; for licensees under this act to transport liquor from State stores to their place of business; and for manufacturers to transport within the State to State warehouses and State stores and to the State line for transportation outside the State.

Amend said bill by inserting therein a new section after Section 29 numbered Section 29a to read as follows:

29a. No person shall possess, transport, procure, furnish or give away any liquor except such as has been sold under the provisions of this act or legally purchased outside the State and except as otherwise provided herein.

Amend Section 41 of the bill by striking out in line 2 of said section the word "transfer" and inserting in place thereof the word "loan" so that said section as amended shall read as follows:

*Funds.* The Governor and Council are hereby authorized to issue short term notes or to loan monies from the general fund up to, but not to exceed two hundred and fifty thousand dollars (\$250,000.00) for the operating capital of this act. At least every six months all net revenue derived under this act, after the expenses of operation and all other expenditures provided in this act have been met shall be transferred to the special fund constituted by Chapter 126 of the Laws of 1931, entitled, An act providing a special fund for the



rehabilitation of treasury balances and the retirement of State indebtedness, and distributed in accordance therewith.

Amend Section 45 of said bill by striking out the same and inserting in place thereof the following:

45. *Takes Effect.* This act shall take effect upon its passage except that the repeal of Chapter 144 of the Public Laws and the sections of Chapter 99 of the Laws of 1933, referred to in Section 43 shall take effect when the Commission herein constituted have been appointed and have qualified.

Mr. Smith of Portsmouth moved that the vote whereby the House passed House Bill No. 489, An act to regulate the traffic in intoxicating liquor, be rescinded.

On a *viva voce* vote the motion prevailed.

On motion of the same member the rules were suspended

and the bill put back on its second reading.

On motion of the same member the House concurred in the amendments sent down from the Honorable Senate.

The question being.

Shall the bill be read a third time?

(Discussion ensued)

Mr. Downing of Lincoln moved that House Bill No. 489 and amendments with reports and all matters relating to liquor control be referred to the next regular session of the legislature.

The question being on the motion of Mr. Downing.

(Discussion ensued)

Mr. Downing demanded the yeas and nays and the roll was called with the following results.

#### YEAS 34

ROCKINGHAM COUNTY: Edwards.

STRAFFORD COUNTY: None.

BELKNAP COUNTY: Hoyt of Laconia, Merrill of Laconia, Wallis.

CARROLL COUNTY: Russell of Conway, Towle, Goss, Mason of Tamworth, Hunter of Tuftonboro, Clow.

MERRIMACK COUNTY: Dame, Shaw of Franklin, Twombly of Hill, Rice of Hopkinton.

HILLSBOROUGH COUNTY: Reynolds, Boynton of Hillsborough, Gage, Weston.

CHESHIRE COUNTY: Firmin, Hanson, Callahan, Jones of Keene, Rice of Rindge.

SULLIVAN COUNTY: Rowell of Claremont, Quimby, Holmes, Fairbanks.

GRAFTON COUNTY: Jesseman, Hoyt of Hanover, Downing, Perkins of Lyme, Verrill, Merrill of Thornton, Sawyer of Woodstock.

COOS COUNTY: None.

## NAYS 285

ROCKINGHAM COUNTY: Swasey, Fifield, Fitts, Dickinson, Brown of Deerfield, Greenough, Ladd, Conner, Day of Exeter, Russell of Exeter, Tufts, Adams of Hampton, Brown of Hampton Falls, Mace, Mack, Pridham, Turcotte, Walker, Estabrook, Seavey of North Hampton, Giles, Perkins of Nottingham, Peaslee of Plaistow, Barrett of Portsmouth, Pray, Smith of Portsmouth, Yeaton, Cogan, McNeil, Harmon, Rose, Stevens of Portsmouth, Purinton, Marden, Manor, Emerson of Windham.

STRAFFORD COUNTY: Boyle, Elder, Goodwin of Dover, Keenan of Dover, Dion of Dover, Grimes, Martin of Dover, Durnin of Dover, Ward 4, Keefe, Wiggan, Durnin of Dover, Ward 5, Henderson, Fisher of Lee, Jones of New Durham, Gotts, Foss, Masse, Lacasse, Marcoux, Emery of Rochester, Seavey of Rochester, Spiers, Lagueux, Houle, Lapointe, Durgin.

BELKNAP COUNTY: Varney, Little, Piper, Smith of Center Harbor, Hammond, Page, Beane of Laconia, Wiley, Guay, Simoneau, Rollins, Stafford.

CARROLL COUNTY: Simpson, Davis of Conway, Staples, Winkley, Bryer, Newell, Neal, Harvey, Smith of Tilton, Sanborn of Wakefield, Hart of Wolfeboro.

MERRIMACK COUNTY: Gamache, Welch, Fisher of Boscawen, Shedd, Trow, Conant, Shaw of Chichester, Coakley,

Matott, Hill, Lindgren, Baker, DuBois, Bean of Concord, McLeod, Nash, Sturtevant, Brunel, Lee, Ahern, Haskell, Ford, Wheeler, Laramie, Rousseau, Douphinett, Drake of Hooksett, Stobie, Marston, Shepard, Caveney, Duford, Gilman, Perkins of Pittsfield, Mock.

HILLSBOROUGH COUNTY: McNamee, Flint, Holbrook, Pierce, Hambleton, Hart of Goffstown, Prince, Charois, Craine, Wright, Blood, Legallee, Holt, Emery of Manchester, Greer, Bergholtz, McIntire of Manchester, Ward 2, Barry of Manchester, Ward 3, Kendall, Ducharme, Jennings, Nerbbonne, Phinney, Pillsbury, Richardson of Manchester, Broderick, Clancy, O'Brien, Sweeney, Connelly, O'Connor, Sullivan, Cote of Manchester, Ward 7, Farrell, Lavigne, Pelouquin, Burke, Chevrette, Cote of Manchester, Ward 8, Craig of Manchester, Delisle, Donnelly, Moran, Skeffington, McBride, Getz, Kearns, Madden, McIntyre of Manchester, Ward 10, Barry of Manchester, Ward 11, Kenney, McLaughlin, Roukey, Desruisseaux, Gauthier, Soucy, Ladouceur, Lambert, Lamy, Lesmerises, Carter, Howison, Wadleigh, Barker, Foote, Woodbury of Nashua, Dowd, Hammar, Boilard, Dupont, Sylvestre, Hogan, Stevens of Nashua, Chasse, Dion of Nashua, Ward 5, Plourde, Bellavance, Burns, Ravenelle, Lindquist, Morse, Wills, Glynn, Noel, Bouthillier, Roger, Currier of Pelham, Keenan of Peterboro, Nichols, Peaslee of Weare, Frye.

CHESHIRE COUNTY: Brackett, Chickering, Appleton, Winn, Kimball, Adams of Jaffrey, Knowlton of Keene, McAllister, Sibley, Gates, Wardwell, Duffy, Wiswall, Granger, Thompson, Graves, Burbank of Winchester.

SULLIVAN COUNTY: Kemp, Hamlin, Dow, Etsler, Howe, King, Leahy, Pederson, Putnam, Tenney, Condon, Reed, Barton, Osborne.

GRAFTON COUNTY: Plumer, Blandin, Lidstone, Mitchell, Day of Canaan, Sanborn of Enfield, Martin of Grafton, Guyer, Hunter of Hanover, Butson, Craig of Haverhill, Drake of Lebanon, Hoyt of Lebanon, Manson, McNamara, Perley, Kelsea, Dunbar, Currier of Wentworth.

COOS COUNTY: Bagley, Barden, Bell, Mason of Berlin,

Smith of Berlin, Palmer, Pingree, Steady, Brungot, Bixby, Myler, Seymour, Dickerman, Tillotson, Thurston, Dube, George, Roberts of Jefferson, Morris, Fogg, Blais, Baldwin, Flanders, Pratt.

And the motion did not prevail.

The question being.

Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Smith of Portsmouth the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time.

The question being.

Shall the bill pass?

On a *viva voce* vote the bill passed and was sent to the Secretary of State to be engrossed.

#### RESOLUTION

Mr. Hart of Wolfeboro offered the following resolution:

*Resolved*, That His Excellency John G. Winant, the Governor, be requested to call a special session of the General Court immediately following this special session to consider bills and resolutions of a state wide nature presented to the Rules Committee.

The question being on the resolution.

Mr. Callahan of Keene called for a division.

A division being had the vote was declared manifestly in the negative.

#### COMMITTEE REPORTS

On motion of Mr. Pingree of Berlin the rules were suspended to allow the introduction of a report from a committee which had not previously been advertised in the journal.

Mr. Pingree of Berlin for the Committee on Appropriations, to whom was referred Senate Bill No. 58, An act relating to the city of Berlin, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend subsection (a) of Section 1 by striking out all of said section and substituting therefor the following: (a) To construct buildings, or to purchase land and/or buildings, or to lease land and buildings for a fixed term of years with option of purchase at an agreed price at the expiration of the lease, in said Berlin, and to suitably alter, repair or equip the same for such manufacturing or other legitimate purposes, that will afford the greatest and actual amount of work to those residents of said city receiving or likely to receive relief from public funds.

Amend Section 4 by inserting in line 3 after the word "residents" the words, of the city of Berlin, so that said section as amended shall read: 4. In any lease or agreement for the use of said property, so acquired, there shall be inserted a clause, providing that insofar as possible, all those employees to work therein, shall be residents of the city of Berlin now or likely to be on public relief.

The question being on the amendment.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

On motion of Mr. Pingree of Berlin the rules were suspended and the third reading of the bill by its title made in order at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

#### RESOLUTION

On motion of Mr. Pingree of Berlin.

*Resolved*, That the Speaker of the House be and hereby is directed to obtain from the Honorable Judges of the Supreme Court their opinions upon the following question:

Do the provisions of Senate Bill No. 58, a copy of which is annexed hereto and made a part of this resolution, violate any of the provisions of our State Constitution?

#### COMMITTEE REPORTS

On motion of Mr. Hunter of Hanover the rules were suspended to allow of the presentation of reports from a com-



mittee which had not previously been advertised in the journal.

Mr. Osborne of Sunapee for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 148, A joint resolution for expenses of special session of legislature, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Hunter of Hanover the rules were suspended and the printing of the joint resolution dispensed with.

The joint resolution was then referred to the Committee on Appropriations under the rules.

Mr. Pingree of Berlin for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 149, A joint resolution in favor of Guy S. Neal and others with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Hunter of Hanover the rules were suspended and the printing of the joint resolution was dispensed with.

The joint resolution was then referred to the Committee on Appropriations under the rules.

On motion of Mr. Baker of Concord the rules were suspended to allow of the introduction of a report from a committee which had not previously been advertised in the journal.

Mr. Keefe of Dover for the Committee on Rules reported the following entitled bill, House Bill No. 498, An act providing for renewals and improvements at the heat, light and power plant at the State Hospital, with the recommendation that the bill be referred to the Committee on Appropriations.

The report was accepted and the bill read a first and second time.

On motion of Mr. Baker of Concord the rules were suspended and the printing of the bill dispensed with.

The bill was then referred to the Committee on Appropriations under the rules.

On motion of Mr. Hart of Wolfeboro the rules were suspended to allow of the introduction of reports from a committee which had not previously been advertised in the journal.

Mr. Keefe of Dover for the Committee on Rules reported the following Joint Resolution, House Joint Resolution No. 150, A Joint Resolution relating to mileage for members of the General Court attending the 1934 special session with the recommendation that the Joint Resolution be referred to the Committee on Appropriations.

The report was accepted and the Joint Resolution read a first and second time.

On motion of Mr. Hart of Wolfeboro the rules were suspended and the printing of the Joint Resolution dispensed with.

The Joint Resolution was then referred to the Committee on Appropriations under the rules.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in its amendments to the following bill:

Senate Bill No. 58, An act relating to the city of Berlin.

The House took a recess.

#### AFTER RECESS

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate bill in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

Senate Bill No. 58, An act relating to the city of Berlin.

Amend Section 6 of said bill by striking out said section and inserting in place thereof the following:

6. *Credit Not to be Pledged.* The credit of said city shall not be pledged by vote or otherwise in connection with the operation of any business that may be conducted on said premises.

Further amend said bill by striking out Section 8 and inserting in place thereof the following:

8.. *Takes Effect.* This act shall take effect if and when the supreme court declares it constitutional.

On motion of Mr. Pingree of Berlin the House concurred in the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Hunter of Hanover the rules were suspended and public hearings on all bills and joint resolutions referred to the Committee on Appropriations during the morning session on Monday were dispensed with.

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the introduction of reports from a committee which had not previously been advertised in the journal.

Mr. Osborne of Sunapee for the Committee on Appropriations to whom was referred House Joint Resolution No. 148, A joint resolution for expense of the special session of the legislature, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

On motion of Mr. Hunter of Hanover the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Appropriations to whom was referred House Joint Resolution No. 149, A joint resolution in favor of Guy S. Neal and others, re-

ported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Hunter of Hanover the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred House Joint Resolution No. 150, A joint resolution relating to mileage for members of the General Court attending the 1934 special session, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Hunter of Hanover the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on appropriations, to whom was referred House Bill No. 498, An act providing for renewals and improvements at the heat, light and power plant at the State Hospital, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

On motion of Mr. Hunter of Hanover the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Hunter of Hanover for the Committee on Rules, reported the following entitled bill, House Bill No. 499, An act relating to authority to issue county bonds, with the recommendation that the bill be referred to the Committee on Judiciary.

The report was accepted and the bill read a first and second time.

On motion of Mr. Hunter of Hanover the rules were suspended and the printing of the bill and its reference to a committee dispensed with.

The question being.

Shall the bill be read a third time?

(Discussion ensued)

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Hunter of Hanover the rules were suspended and the bill made in order for a third reading by its title at the present time.

The bill was then read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Hunter of Hanover the rules were suspended to allow of the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Pingree of Berlin for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 151, A joint resolution making appropriation for repairs at the state prison, with the recommendation that the joint resolution be referred to the Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Hunter of Hanover the rules were suspended and the printing of the joint resolution and its reference to a committee dispensed with.

The question being.

Shall the joint resolution be read a third time?

(Discussion ensued)

On a *viva voce* vote the joint resolution was ordered to a third reading.

On motion of Mr. Hunter of Hanover the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then passed and sent to the Senate for concurrence.



On motion of Mr. Condon of Newport the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Hunter of Hanover for the Committee on Rules reported the following joint resolution:

House Joint Resolution No. 152, A joint resolution for the repair of highways in the town of Unity, with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Condon of Newport the rules were suspended and the printing of the joint resolution and hearings on the same dispensed with.

The joint resolution was then referred to the Committee on Appropriations under the rules.

Mr. Hunter of Hanover for the Committee on Rules reported the following joint resolution, House Joint Resolution No. 153, A joint resolution for the repair of highways in the town of Lempster, with the recommendation that the joint resolution be referred to Committee on Appropriations.

The report was accepted and the joint resolution read a first and second time.

On motion of Mr. Condon of Newport the rules were suspended and the printing of the joint resolution and hearings on same dispensed with.

The joint resolution was then referred to the Committee on Appropriations under the rules.

#### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 148, Joint resolution for expenses of special session of legislature.

House Joint Resolution No. 149, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 150, Joint resolution relating to mileage for members of its General Court attending the 1934 special session.

House Joint Resolution No. 151, Joint resolution making appropriation for repairs at the State prison.

House Bill No. 499, An act relating to authority to issue county bonds.

The House then took a recess.

### AFTER RECESS

On motion of Mr. Osborne of Sunapee the rules were suspended to allow the presentation of a report from a committee which had not previously been advertised in the journal.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred the following joint resolution, House Joint Resolution No. 152, A joint resolution for the repair of highways in the town of Unity, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Condon of Newport the rules were suspended and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

Mr. Osborne of Sunapee for the Committee on Appropriations, to whom was referred the following joint resolution, House Joint Resolution No. 153, A joint resolution for the repair of highways in the town of Lempster, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

On motion of Mr. Condon of Newport the rules were sus-

pending and the joint resolution made in order for a third reading by its caption at the present time.

The joint resolution was then read a third time and passed and sent to the Senate for concurrence.

The House then took a recess.

### AFTER RECESS

On motion of Mr. Baker of Concord.

WHEREAS, It appears that all necessary legislative work may be easily accomplished by Monday, June 4, instant, therefore be it

*Resolved*, By the House of Representatives, the Senate concurring, that the present (special) session of the legislature be brought to final adjournment on Monday, June 4, instant, at 12 o'clock midnight.

*Be it Further Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 152, Joint resolution for the repairs of highways in the town of Unity.

House Joint Resolution No. 153, Joint resolution for the repair of highways in the town of Lempster.

The House then took a recess.

### AFTER RECESS

### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

WHEREAS, It appears that all necessary legislative work may be easily accomplished by Monday, June 4th, instant

*Therefore be it Resolved*, By the House of Representatives, the Senate concurring, that the present (special) session of the legislature be brought to final adjournment on Monday, June 4th, instant at 12 o'clock midnight, and

*Be it Further Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature, with the exception of such as have been referred to the next session of the legislature, be indefinitely postponed.

The House then took a recess.

### AFTER RECESS

Mr. Davis of Conway in the chair

### COMMITTEE REPORT

Mr. Henderson of Durham for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions.

Senate Bill No. 61, An act legalizing the action taken by the city of Portsmouth relative to an amendment to the city charter.

House Bill No. 493, An act legalizing the meeting of the town of Gilmanton held on March 21, 1934, as an annual meeting.

House Bill No. 494, An act legalizing the proceedings of the annual meeting in Greenfield held March 13, 1934.

House Bill No. 492, An act relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester.

House Bill No. 497, An act relating to the issuance of bonds by the town of Ashland.

House Bill No. 489, An act to regulate the traffic in intoxicating liquor.

Senate Bill No. 58, An act relating to the city of Berlin.

House Joint Resolution No. 148, Joint resolution for expenses of special session of legislature.

House Joint Resolution No. 150, Joint resolution relating to mileage for members of the General Court attending the 1934 Special Session.

House Joint Resolution No. 149, Joint resolution in favor of Guy S. Neal and others.

House Joint Resolution No. 152, Joint resolution for the repair of highways in the town of Unity.

House Joint Resolution No. 153, Joint resolution for the repair of highways in the town of Lempster.

House Joint Resolution No. 151, Joint resolution making appropriation for repairs at the state prison.

House Bill No. 499, An act relating to authority to issue county notes.

The report was accepted.

The Speaker in the chair

The House then took a recess.

## AFTER RECESS

### RESOLUTION

On motion of Mr. Baldwin of Pittsburg:

*Resolved*, by the House of Representatives, the Senate concurring that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

The Speaker appointed as members of such committee on part of the House Messrs. Sibley of Keene, Page of Gilman-ton, Osborne of Sunapee, Winn of Harrisville, Pingree of Berlin, Condon of Newport, Henderson of Durham, Shaw of Chichester, Baker of Concord and Hunter of Hanover.

### MESSAGE FROM THE SENATE

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:



*Resolved*, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make, and the President has appointed as members of such committee on the part of the Senate, Senators McLean, Gale, Houghton, Foley and Doe.

#### INDEFINITELY POSTPONED

In accordance with the concurrent previously adopted that all bills and joint resolutions pending in either branch of the legislature on Monday, June 4th at 12.00 o'clock midnight be indefinitely postponed, the following bills were indefinitely postponed:

House Bill No. 490, An act to create a State alcohol control authority.

House Bill No. 495, An act to incorporate the Appalachian Mountain Club.

House Bill No. 496, An act relative to the settlement of paupers.

#### COMMITTEE REPORT

Mr. Sibley of Keene for the joint committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature had completed its duties, reported that they had attended to their duty and that the Governor informed them that he had a communication to lay before the House.

The report was accepted and immediately His Excellency, John G. Winant, Governor, appeared before the House and delivered the following message:

#### TO THE HOUSE OF REPRESENTATIVES:

Having been informed by the joint committee of the Senate and House of Representatives that you have completed the business of the session and are ready to adjourn, I do, by the authority vested in me as Governor, hereby declare the

General Court of New Hampshire adjourned to the last Wednesday in December, 1934.

JOHN G. WINANT,  
*Governor.*

Thereupon the Speaker declared the House adjourned to the last Wednesday in December, 1934.

HARRIE M. YOUNG,  
*Clerk.*

# Appendix

---

## PAY ROLL

### *Rockingham County*

	Days	Amount
Atkinson, Herbert N. Sawyer	13	\$39.00
Brentwood, E. Christine Swazey	15	45.00
Candia, Charles F. Fifield	14	42.00
Chester, George L. Fitts	12	36.00
Danville, Richard H. Dickinson	14	42.00
Deerfield, George W. Brown	14	42.00
Derry, Joseph R. Edwards	15	45.00
Arthur Greenough	15	45.00
Warren H. Hatch	14	42.00
Epping, Louis P. Ladd	14	42.00
Exeter, Arthur J. Conner	7	21.00
Willie S. Day	10	30.00
Charles C. Russell	13	39.00
James A. Tufts	14	42.00
Greenland, Clarence E. Gowen	10	30.00
Hampstead, Frank W. Emerson	10	30.00
Hampton, Charles Francis Adams	13	39.00
Hampton Falls, Arthur W. Brown	9	27.00
Kensington, Everett S. Mace	13	39.00
Kingston, Roland W. Cheney	6	18.00
Londonderry, Wallace P. Mack, Jr.	7	21.00
Newcastle, James W. Pridham	13	39.00
Newmarket, Leo J. Turcotte	14	42.00
Jonathan Walker	14	42.00
Newton, A. Ralph Estabrook	9	27.00
North Hampton, George L. Seavey	13	39.00
Northwood, Fred C. Giles	14	42.00
Nottingham, John D. Perkins	12	36.00
Plaistow, J. William Peaslee	13	39.00

	Days	Amount
Portsmouth:		
Ward 1, Andrew J. Barrett	15	\$45.00
Edward M. Buckley	14	42.00
Merton A. Drake	14	42.00
Ward 2, Richard G. Pray	13	39.00
Harold M. Smith	7	21.00
John H. Yeaton	15	45.00
Ward 3, William Cogan	15	45.00
James R. McNeil	15	45.00
Ward 4, Simon P. Harmon	15	45.00
Ward 5, William T. Rose	15	45.00
Charles A. Stevens	15	45.00
Raymond, George W. Purinton	13	39.00
Rye, Newell P. Marden	13	39.00
Salem, Carl Manor	13	39.00
Seabrook, Elihu T. Adams	13	39.00
Windham, Bessie Emerson	13	39.00
<i>Strafford County</i>		
Barrington, Warren A. Boyle	13	39.00
Dover:		
Ward 1, Homer Foster Elder	15	45.00
Fred E. Goodwin	13	39.00
Thomas H. Keenan	14	42.00
Ward 2, Phidine Dion	15	45.00
William Alvin Grimes	15	45.00
Bernard J. Martin	15	45.00
Ward 3, George E. Buzzell	13	39.00
Maurice N. Layn	13	39.00
Ward 4, Owen P. Durnin	15	45.00
Francis Clyde Keefe	13	39.00
Harold F. Wiggin	11	33.00
Ward 5, Edward Durnin	15	45.00
Durham, Oren V. Henderson	13	39.00
Farmington, Joseph Breckenridge	11	33.00
Allison E. Tuttle	13	39.00
Lee, William J. Fisher	15	45.00

	Days	Amount
Milton, Fred B. Roberts	13	\$39.00
New Durham, Myra J. Jones	11	33.00
Rochester:		
Ward 1, Thomas H. Gotts	13	39.00
Ward 2, Henry T. Foss	15	45.00
Charles H. Twombly	15	45.00
Ward 3, Napoleon I. Masse	15	45.00
Ward 4, Alphonse Lacasse	15	45.00
Edmond J. Marcoux	15	45.00
Ward 5, Justin A. Emery	12	36.00
Ward 6, Ralph F. Seavey	10	30.00
Frank R. Spiers	15	45.00
Rollinsford, George W. Nutter	13	39.00
Somersworth:		
Ward 1, Placide Lagueux	13	39.00
Ward 2, Anna M. Morin	14	42.00
Ward 4, Fred A. Houle	13	39.00
Thomas J. McGreal	12	36.00
Ward 5, Adolphe Lapointe	13	39.00
Strafford, Woodbury W. Durgin	13	39.00

*Belknap County*

Alton, Oe Varney	8	24.00
Barnstead, Harry E. Little	11	33.00
Belmont, Fred H. Piper	13	39.00
Center Harbor, Orville P. Smith	12	36.00
Gilford, Ethel J. Hammond	15	45.00
Gilmanton, Curtis H. Page	13	39.00
Laconia:		
Ward 1, Dana S. Beane	12	36.00
Maurice G. Wiley	13	39.00
Ward 2, Alfred L. Guay	8	24.00
Joseph Simoneau	15	45.00
Ward 3, Fred L. Rollins	13	39.00
Ward 4, Oscar L. Hoyt	15	45.00
George C. Stafford	13	39.00



	Days	Amount
Ward 5, Arthur R. Merrill	13	\$39.00
Fred A. Young	3	9.00
Ward 6, Frank E. Newell	15	45.00
Meredith, William J. Neal	13	39.00
Frank R. Prescott	7	21.00
New Hampton, Vernon C. Harvey	14	42.00
Sanbornton, John S. Wallis	13	39.00
Tilton, Osborn J. Smith	14	42.00

*Carroll County*

Bartlett, Scott C. W. Simpson	15	45.00
Conway, Burnham B. Davis	1	3.00
George W. Russell	10	30.00
Freedom, Charles M. Towle	13	39.00
Madison, Waldron V. Staples	14	42.00
Moultonborough, Edgar S. Goss	13	39.00
Ossipee, Mark H. Winkley	13	39.00
Sandwich, Frank A. Bryer	15	45.00
Tamworth, Harry O. Mason	13	39.00
Tuftonboro, Margaret E. Hunter	5	15.00
Wakefield, Ansel N. Sanborn	8	24.00
Wolfeboro, Stephen W. Clow	12	36.00
Harold H. Hart	13	39.00

*Merrimack County*

Allenstown, William Gamache	15	45.00
Andover, Daniel M. Welch	15	45.00
Boscawen, Levi P. Fisher	15	45.00
Bow, Fred J. Shedd	5	15.00
Bradford, Joseph H. Trow	12	36.00
Canterbury, Sam S. Conant	13	39.00
Chichester, John L. T. Shaw	14	42.00
Concord:		
Ward 1, Charles P. Coakley	15	45.00
Harry W. Matott	15	45.00
Ward 2, George A. Hill	8	24.00
Ward 3, Hugo B. Lindgren	15	45.00

	Days	Amount
Ward 4, Albert S. Baker	15	\$45.00
Clarence A. Dubois	15	45.00
Louis P. Elkins	15	45.00
Ward 5, Edward A. Dame	12	36.00
Ward 6, Arthur E. Bean	11	33.00
Donald McLeod	10	30.00
George H. Nash	15	45.00
Arthur F. Sturtevant	15	45.00
Ward 7, Frederick I. Blackwood	15	45.00
Shirley Brunel	15	45.00
Elva B. Russell	7	21.00
Ward 8, William A. Lee	15	45.00
Ward 9, William J. Ahern	13	39.00
Edward B. Haskell	15	45.00
Danbury, Scott N. Ford	13	39.00
Dunbarton, Cyrus C. Wheeler	13	39.00
Epsom, Almon M. Worth	14	42.00
Franklin:		
Ward 1, George G. Fowler	10	30.00
Ward 2, Edward F. Laramie	15	45.00
Docite J. Rousseau	15	45.00
Ward 3, Louis H. Douphinett	15	45.00
James S. Shaw	14	42.00
Hill, Lenne C. Twombly	14	42.00
Hooksett, Joseph B. Drake	14	42.00
Robert H. Stobie	14	42.00
Hopkinton, Neal J. Rice	13	39.00
Loudon, Arthur K. Marston	13	39.00
New London, Charles E. Shepard	12	36.00
Northfield, Edwin R. Caveney	13	39.00
Pembroke, Samuel J. Duford	15	45.00
Pittsfield, Charles H. Gilman	14	42.00
John H. Perkins	11	33.00
Sutton, William L. Chadwick	4	12.00
Warner, Oscar E. Jewell	13	39.00
Webster, Adam E. Mock	15	45.00
Wilmot, John K. Stearns	14	42.00

*Hillsborough County*

	Days	Amount
Amherst, Benjamin F. McNamee	13	\$39.00
Antrim, Wyman K. Flint	13	39.00
Bedford, Alonzo H. Holbrook	14	42.00
Bennington, Arthur J. Pierce	12	36.00
Brookline, Walter B. Fessenden	13	39.00
Goffstown, George Hambleton	15	45.00
Edward M. Hart	15	45.00
Louis O. Prince	15	45.00
Greenfield, George A. Reynolds	13	39.00
Greenville, Bernadette E. Charois	13	39.00
Hillsborough, George W. Boynton	13	39.00
Bert L. Craine	13	39.00
Hollis, Milton D. Wright	13	39.00
Hudson, George F. Blood	15	45.00
Howard S. Legallee	7	21.00
Lyndeborough, Austin Holt	14	42.00
Manchester:		
Ward 1, Dana A. Emery	13	39.00
Sherman L. Greer	12	36.00
Edward T. Knowlton	13	39.00
Allan M. Wilson	5	15.00
Ward 2, Henry W. Bergholtz	15	45.00
Perley W. Gage	15	45.00
Victor C. Johnson	15	45.00
Wendell M. McIntire	15	45.00
Ward 3, John J. Barry	14	42.00
John M. Kendall	15	45.00
Joseph A. Ducharme	14	42.00
John T. Jennings	15	45.00
Joseph A. Nerbonne	15	45.00
Ward 4, Charles A. Allen	15	45.00
Mary E. Phinney	14	42.00
Henry F. Pillsbury	15	45.00
Herbert E. Richardson	13	39.00
Ward 5, Frank J. Broderick	14	42.00
William F. Clancy	13	39.00

		Days	Amount
	William F. Kelley	15	\$45.00
	John C. O'Brien	15	45.00
	Patrick Sweeney	15	45.00
	John S. Trinity	15	45.00
Ward 6,	John J. Bresnahan	15	45.00
	Arthur J. Connelly	15	45.00
	John J. O'Connor	15	45.00
	John J. Sullivan	15	45.00
Ward 7,	John J. Berry	15	45.00
	Francis X. Cote	15	45.00
	Francis A. Farrell	15	45.00
	John B. Laforest	15	45.00
	Emile Lavigne	15	45.00
	Alphee J. Peloquin	15	45.00
Ward 8,	John A. Burke	14	42.00
	Joseph Chevette	15	45.00
	Edward F. Cote	15	45.00
	William Henry Craig	12	36.00
	Eugene Delisle	15	45.00
	Michael S. Donnelly	15	45.00
	J. Vincent Moran	15	45.00
	John F. Skeffington	4	12.00
Ward 9,	Timothy F. Hayes	15	45.00
	Valentine McBride	15	45.00
Ward 10,	Oscar E. Getz	15	45.00
	John J. Kearns	15	45.00
	James J. Madden	15	45.00
	Martin J. McIntyre	14	42.00
Ward 11,	John Barry	15	45.00
	Patrick J. Kenney	15	45.00
	Bernard T. McLaughlin	15	45.00
	Elmer D. Roukey	15	45.00
Ward 12,	Charles A. Caron	15	45.00
	George E. Desruisseaux	15	45.00
	Louis E. Gauthier	15	45.00
	Alpha J. Letendre	15	45.00
	Louis J. Soucy	15	45.00

	Days	Amount
Ward 13, Almon A. Boisvert	14	\$42.00
Thomas Ladouceur	15	45.00
Lucien G. Lambert	15	45.00
Charles Lamy	15	45.00
Lionel V. Lesmerises	15	45.00
Merrimack, Edward W. Carter	12	36.00
Milford, Gertrude N. Howison	13	39.00
Fred T. Wadleigh	13	45.00
William Weston	14	42.00
Nashua:		
Ward 1, Fred A. Barker	15	45.00
Charles M. Foote	15	45.00
Ovid F. Winslow	11	33.00
Charles I. Woodbury	12	36.00
Ward 2, Karl E. Dowd	12	36.00
Howard F. Hammar	15	45.00
Ward 3, Frank Boilard	15	45.00
Adelard Dupont	15	45.00
Armand P. Sylvestre	15	45.00
Ward 4, Austin H. Hogan, Sr.	15	45.00
George F. Stevens	15	45.00
Ward 5, Delphis Chasse	15	45.00
Henry A. Dion	15	45.00
Amedee Plourde	15	45.00
Ward 6, Joseph A. Bellavance, Jr.	15	45.00
Henry M. Burns	15	45.00
Theodore O. Ravenelle	15	45.00
Ward 7, Carl Lindquist	15	45.00
Frank O. Morse	14	42.00
John F. Wills	15	45.00
Ward 8, Charles Dionne	15	45.00
James H. Glynn	15	45.00
William A. Molloy	14	42.00
Aldege A. Noel	15	45.00
Ward 9, Paul E. Bouthillier	15	45.00
New Boston, Brainard P. Newton	13	39.00
New Ipswich, David Roger	10	30.00



	Days	Amount
Pelham, Richard H. Currier	14	\$42.00
Peterborough, Martin J. Keenan	12	36.00
Thomas S. Nichols	12	36.00
Weare, Frank H. Peaslee	15	45.00
Wilton, Harvey W. Frye	14	42.00

*Cheshire County*

Alstead, Robert Brackett	13	39.00
Chesterfield, Moses H. Chickering	12	36.00
Dublin, Arthur T. Appleton	14	42.00
Fitzwilliam, Julius H. Firmin	14	42.00
Gilsum, William B. Hanson	13	39.00
Harrisville, Thomas J. Winn	15	45.00
Hinsdale, Walker S. Kimball	11	33.00
Jaffrey, George A. Adams	7	21.00
Keene:		
Ward 1, William J. Callahan	14	42.00
Richard C. Carrick	4	12.00
George F. Knowlton	13	39.00
Chandler B. McAllister	14	42.00
Ward 2, William E. Jones	13	39.00
Nathan C. Sibley	13	39.00
Ward 3, Leston M. Barrett	13	39.00
Wilder F. Gates	13	39.00
Ward 4, Marquis O. Spaulding	11	33.00
Clarence A. Wardwell	14	42.00
Ward 5, John M. Duffy	14	42.00
Michael H. O'Neal	6	18.00
Marlborough, Leon E. Wiswall	13	39.00
Rindge, Harris H. Rice	12	36.00
Swanzy, William R. Granger	15	45.00
Alexander F. Thompson	6	18.00
Troy, Martin L. Clark	12	36.00
Walpole, William H. Fletcher	8	24.00
John W. Graves	13	39.00
Winchester, Winfred C. Burbank	11	33.00
James S. Kellom	10	30.00

*Sullivan County*

	Days	Amount
Acworth, Weston O. Kemp	14	\$42.00
Charlestown, Ada E. Hamlin	13	39.00
Claremont, John W. Dow	8	24.00
Clarence B. Etsler	10	30.00
Earl F. Howe	8	24.00
Aaron King	15	45.00
Albert D. Leahy	11	33.00
Martin Pederson	14	42.00
Charles H. Putnam	14	42.00
Harry F. Rowell	15	45.00
Edward B. Tenney	10	30.00
Cornish, Elwin W. Quimby	12	36.00
Langdon, George A. Holmes	13	39.00
Newport, John J. Condon	13	39.00
Charles H. Fairbanks	12	36.00
Willis A. Reed	12	36.00
Jesse R. Rowell	4	12.00
Plainfield, George C. Barton	11	33.00
Springfield, Seely W. Philbrick	10	30.00
Sunapee, Leo L. Osborne	13	39.00

*Grafton County*

Alexandria, David B. Plumer	14	42.00
Ashland, Sheldon E. Ellis	15	45.00
Bath, Amos N. Blandin	12	36.00
Bethlehem, Harry A. Goodwin	12	36.00
Bristol, James B. Lidstone	13	39.00
Campton, Lester E. Mitchell	13	39.00
Canaan, Herbert W. Day	13	39.00
Enfield, Isaac N. Sanborn	14	42.00
Franconia, Fred H. Jesseman	11	33.00
Grafton, Charles E. Martin	13	39.00
Hanover, Alfred W. Guyer	12	36.00
Daniel O. Hoyt	10	30.00
Edgar H. Hunter	10	30.00

	Days	Amount
Haverhill, Charles A. Butson	8	\$24.00
Ernest E. Craig	10	30.00
Frank N. Keyser	10	30.00
Landaff, Roscoe J. Oakes	8	24.00
Lebanon, Charles B. Drake	13	39.00
Florence Ward Hoyt	13	39.00
Harry Manson	13	39.00
Thomas J. McNamara	13	39.00
Joseph B. Perley	13	39.00
Lincoln, Sidney F. Downing	10	30.00
Lisbon, George E. Clark	8	24.00
Frank S. Kelsea	11	33.00
Littleton, Horace B. Albee	8	24.00
Victor H. Gadbois	11	33.00
Trevor O. Mooney	6	18.00
William I. Richardson	8	24.00
Lyme, Earl C. Perkins	7	21.00
Monroe, Richard D. Hall	6	18.00
Orford, Edgar C. Lufkin	14	42.00
Piermont, Earl V. Howard	15	45.00
Plymouth, Elmer E. Huckins	12	36.00
John S. Renfrew	13	39.00
Rumney, Arthur L. Verrell	13	39.00
Thornton, Albert D. Merrill	10	30.00
Warren, Robert W. Dunbar	14	42.00
Wentworth, John E. Currier	10	30.00
Woodstock, Harry D. Sawyer	6	18.00

*Coos County***Berlin:**

Ward 1, John F. Bagley	15	45.00
Margaret H. Barden	15	45.00
Joseph Fred Bell	11	33.00
Elisabeth H. Mason	15	45.00
Henry A. Smith	13	39.00
Ward 2, Albert G. Palmer	13	39.00
Robert W. Pingree	12	36.00

	Days	Amount
Louis E. Rancourt	6	\$18.00
Edward A. Steady	15	45.00
Ward 3, Hilda C. F. Brungot	15	45.00
Fred R. Oleson	13	39.00
Ward 4, Esther Bixby	13	39.00
Letitia Jane Myler	15	45.00
Carroll, Joseph A. Seymour	12	36.00
Colebrook, Edward M. Dickerman	12	36.00
Louis Ramsay	9	27.00
Dalton, John M. Tillotson	7	21.00
Errol, George O. Thurston	15	45.00
Gorham, Louis C. Dube	13	39.00
Olie M. George	11	33.00
Jefferson, George D. Roberts	13	39.00
Lancaster, Lula J. A. Morris	15	45.00
Milan, Floyd E. Fogg	13	33.00
Northumberland, Edmond Blais	14	42.00
Wayne W. Cole	7	21.00
Pittsburg, Frank W. Baldwin	13	39.00
Stewartstown, E. Fay Flanders	13	39.00
Stratford, Everett C. Brown	6	18.00
Whitefield, Charles L. Pratt	13	39.00

## MILEAGE ROLL

*Rockingham County*

	Miles	Amount
Herbert N. Sawyer, Atkinson	48	\$ 9.60
E. Christine Swasey, Brentwood	24	4.80
Charles F. Fifield, Candia	28	5.60
George L. Fitts, Chester	56	11.20
Richard H. Dickinson, Danville	48	9.60
George W. Brown, Deerfield	80	16.00
Clarence E. Gowen, Greenland	28	5.60
Charles Francis Adams, Hampton	64	12.80
Arthur W. Brown, Hampton Falls	64	12.80
Frank W. Emerson, Hampstead	72	14.40

	Miles	Amount
Everett S. Mace, Kensington	20	\$ 8.00
Roland W. Cheney, Kingston	32	6.40
W. P. Mack, Jr., Londonderry	28	5.60
James W. Pridham, Newcastle	28	5.60
A. Ralph Estabrook, Newton	20	4.00
George L. Seavey, North Hampton	56	11.20
Fred C. Giles, Northwood	44	8.80
James R. McNeil, Portsmouth	16	3.20
Newell P. Marden, Rye	48	9.60
Carl Manor, Salem	40	8.00
Elihu T. Adams, Seabrook	136	27.20
Bessie Emerson, Windham	40	8.00

*Strafford County*

Warren A. Boyle, Barrington	32	6.40
George E. Buzzell, Dover	16	3.20
William J. Fisher, Lee	16	3.20
Thomas H. Gotts, Rochester	24	4.80
Woodbury W. Durgin, Strafford	60	12.00

*Belknap County*

Harry E. Little, Barnstead	16	3.20
Fred H. Piper, Belmont	60	12.00
Orville P. Smith, Center Harbor	16	3.20
Curtis H. Page, Gilmanton	68	13.60
Vernon C. Harvey, New Hampton	48	9.60
John S. Wallis, Sanbornton	40	8.00

*Carroll County*

Charles M. Towle, Freedom	72	14.40
Waldron V. Staples, Madison	64	12.80
Edgar S. Goss, Moultonboro	96	19.20
Mark H. Winkley, Ossipee	56	11.20
Frank A. Bryer, Sandwich	104	20.80
Harry O. Mason, Tamworth	32	6.40
Margaret E. Hunter, Tuftonboro	136	27.20



*Merrimack County*

	Miles	Amount
Levi P. Fisher, Boscawen	36	\$ 7.20
Fred J. Shedd, Bow	40	8.00
Joseph H. Trow, Bradford	16	3.20
Sam S. Conant, Canterbury	32	6.40
Hugo B. Lindgren, Concord	20	4.00
Scott N. Ford, Danbury	24	4.80
Cyrus C. Wheeler, Dunbarton	48	9.60
Docite J. Rousseau, Franklin	16	3.20
Edward F. Laramie, Franklin	16	3.20
James S. Shaw, Franklin	16	3.20
Louis H. Douphinett, Franklin	16	3.20
Arthur K. Marston, Loudon	64	12.80
Charles E. Shepard, New London	68	13.60
John K. Stearns, Wilmot	40	8.00
Adam E. Mock, Webster	72	14.40
William L. Chadwick, Sutton	48	4.80

*Hillsborough County*

Benjamin F. McNamee, Amherst	24	4.80
Wyman K. Flint, Antrim	48	9.60
Alonzo H. Holbrook, Bedford	24	4.80
Walter B. Fessenden, Brookline	48	9.60
Bernadette E. Charois, Greenville	52	10.40
Milton D. Wright, Hollis	60	12.00
Howard S. Legallee, Hudson	20	4.00
Austin Holt, Lyndeborough	28	5.60
Edward T. Knowlton, Manchester	40	8.00
Harry W. Bergholtz, Manchester	16	3.20
Wendell McIntire, Manchester	16	3.20
John J. Barry, Manchester	16	3.20
Francis A. Farrell, Manchester	16	3.20
John A. Burke, Manchester	16	3.20
Eugene Delisle, Manchester	16	3.20
Michael S. Donnelly, Manchester	16	3.20
Valentine McBride, Manchester	16	3.20
Oscar E. Getz, Manchester	16	3.20

	Miles	Amount
James Madden, Manchester	16	\$ 3.20
Louis E. Gauthier, Manchester	16	3.20
Almon A. Boisvert, Manchester	20	4.00
Edward W. Carter, Merrimack	36	7.20
Ovid F. Winslow, Nashua	16	3.20
Charles I. Woodbury, Nashua	16	3.20
Adelard Dupont, Nashua	16	3.20
Delphis E. Chasse, Nashua	24	4.80
Henry A. Dion, Nashua	24	4.80
Amedee Plourde, Nashua	24	4.80
Joseph A. Bellavance, Jr., Nashua	20	4.00
Henry M. Burns, Nashua	20	4.00
Theodore O. Ravenelle, Nashua	24	4.80
Carl Lindquist, Nashua	16	3.20
Charles Dionne, Nashua	24	4.80
James H. Glynn, Nashua	24	4.80
William A. Molloy, Nashua	28	5.60
Aldege A. Noel, Nashua	24	4.80
Paul E. Bouthillier, Nashua	28	5.60
Lornzo Couturier, Nashua	28	5.60
Brainard Newton, New Boston	72	14.40
David Roger, New Ipswich	80	16.00
Richard H. Currier, Pelham	80	16.00
Howard F. Hammar, Nashua	16	3.20
Frank Boilard, Nashua	16	3.20
Armand P. Sylvestre, Nashua	16	3.20
George F. Stevens, Nashua	16	3.20

*Cheshire County*

Robert M. Brackett, Alstead	56	11.20
Moses H. Chickering, Chesterfield	152	30.40
Arthur T. Appleton, Dublin	48	9.60
William B. Hanson, Gilsum	72	14.40
Walker S. Kimball, Hinsdale	168	33.60
George A. Adams, Jaffrey	40	8.00
Wilder F. Gates, Keene	16	3.20
Harris H. Rice, Rindge	16	3.20

	Miles	Amount
William R. Granger, Swanzey	48	\$ 9.60
Alexander F. Thompson, Swanzey	48	9.60
John W. Graves, Walpole	128	25.60
William H. Fletcher, Walpole	112	22.40
Winfred C. Burbank, Winchester	116	23.20
James S. Kellom, Winchester	116	23.20

*Sullivan County*

Weston O. Kemp, Acworth	96	19.20
Ada E. Hamlin, Charlestown	80	16.00
Martin Pederson, Claremont	16	3.20
Elwin W. Quimby, Cornish	104	20.80
George A. Holmes, Langdon	56	11.20
Willis A. Reed, Newport	20	4.00
George C. Barton, Plainfield	64	12.80
Seely W. Philbrick, Springfield	104	20.80
Leo L. Osborne, Sunapee	24	4.80

*Grafton County*

Harry A. Goodwin, Bethlehem	44	8.80
Lester E. Mitchell, Campton	56	11.20
Fred H. Jesseman, Franconia	56	11.20
Daniel O. Hoyt, Hanover	36	7.20
Alfred W. Guyer, Hanover	40	8.00
Edgar H. Hunter, Hanover		
Roscoe J. Oaks, Landaff	24	4.80
Florence W. Hoyt, Lebanon	36	7.20
Joseph B. Perley, Lebanon	40	8.00
Earl C. Perkins, Lyme	16	3.20
Richard D. Hall, Monroe	124	24.80
Edgar C. Lufkin, Orford	80	16.00
Earl V. Howard, Piermont	48	9.60
Arthur L. Verrill, Rumney	88	17.60
Albert D. Merrill, Thornton	16	3.20

*Coos County*

Hilda C. F. Brungott, Berlin	32	6.40
Patrick L. Dutil, Berlin	16	3.20

	Miles	Amount
Edward M. Dickerman, Colebrook	104	\$20.80
Louis Ramsay, Colebrook	108	21.60
John M. Tillotson, Dalton	84	16.80
George O. Thurston, Errol	248	49.60
Louis C. Dube, Gorham	24	4.80
Olie M. George, Gorham	24	4.80
George D. Roberts, Jefferson	32	6.40
Lloyd E. Fogg, Milan	64	12.80
Wayne W. Cole, Northumberland	20	4.00
Frank W. Baldwin, Pittsburg	384	76.80
E. Fay Flanders, Stewartstown	288	57.60

*Senators*

George W. Dickson, Colebrook	208	41.60
Arthur P. Gale, Jackson	32	6.40
Clarence W. Houghton, Walpole	144	28.80
Philip C. Heald, Wilton	52	10.40
Honore E. Bouthillier, Nashua	28	5.60
Charles M. Steele, Epsom	20	4.00
Aime Martel, Manchester	16	3.20

*Employees*

Guy S. Neal, Acworth	168	33.60
Arthur A. Tilton, Laconia	40	8.00
William B. Plummer, Manchester	16	3.20
Harry S. Yeaton, New Castle	24	4.80
Fred W. Friend, Belmont	16	3.20
Alice V. Flanders, Henniker	20	4.00
Helen M. Young, Tilton	48	9.60
Herbert V. Johnson, Berlin	24	4.80
Charles C. Crowley, Dover	20	4.00
Benjamin H. Bragg, Alstead	144	28.80
Bessie Callaghan, Manchester	32	6.40





# INDEX TO THE HOUSE JOURNAL

Absence, leaves of. See leaves of absence.	
Adjournment, final .....	140
week-end.....	27, 31, 60, 98
Alcoholic beverages, manufacture, transportation, sale, importation and exportation.....	26, 29, 31
Roll call on substitution.....	32
Appalachian Mountain Club, to incorporate.....	118, 139
Ashland, issuance of bonds.....	119, 120, 137
Berlin, relating to city of.....	116, 127, 128, 130, 137
Speaker requested to obtain opinion of Supreme Court as to constitutionality of.....	128
Bonds, county, authority to issue.....	132, 135, 138
issuance of by town of Ashland.....	119, 120, 137
Buckley, Edward M., of Portsmouth, death announced.....	102
Committee on resolutions appointed.....	102
report of.....	114
Chaplain offers prayer. See prayers by Chaplain.	
Charter of Portsmouth, legalizing action taken relative to amend- ment.....	102, 115, 137
Mount St. Mary's Convent of Manchester....	116, 120, 137
Clerk instructed to strike names from roll.....	22
Committee appointed to act on amendments to House Bill No. 489 suggested by the Governor.....	115
appointments to fill vacancies.....	19, 22, 29, 67
to assign rooms authorized and appointed.....	17
inform Governor legislature has completed business of session, appointed.....	138, 139
report of.....	139
notify Governor Senate and House have met in joint convention.....	18, 109
prepare resolutions on death of Representative Buckley of Portsmouth appointed.....	102
report of.....	114
resolutions on death of Representative Davis of Laconia appointed.....	20
report of.....	25
resolutions on death of Representative Perkins of Holderness appointed.....	20
report of.....	26
resolutions on death of Representative Shirley of Conway appointed.....	20
report of.....	22

Convention, joint. See Joint convention.	
County bonds, authority to issue.....	132, 135, 138
Death of Representative Buckley of Portsmouth announced.....	102
Committee to prepare resolutions appointed.....	102
report of.....	114
Representative Davis of Laconia announced.....	20
Committee to prepare resolutions appointed.....	20
report of.....	25
Representative Perkins of Holderness announced.....	20
Committee to prepare resolutions appointed.....	20
report of.....	26
Representative Shirley of Conway announced.....	20
Committee to prepare resolutions appointed.....	20
report of.....	22
Expenses of special session of legislature.....	129, 131, 134, 137
Gilmanton, legalizing meeting held as annual meeting....	117, 120, 137
Governor's messages. See messages from the Governor.	
proclamation .....	3
Greenfield, legalizing proceedings of annual meeting.....	118, 120, 137
Hawkers and peddlers .....	102, 116
Highways in Lempster, repair of.....	134, 135, 136, 138
Unity, repair of.....	134, 135, 136, 138
House called to order.....	3
Incorporate Appalachian Mountain Club.....	118, 139
Intoxicating liquor, to regulate traffic in....	18, 21, 35, 44, 56, 68, 71, 85,
86, 98, 103, 105, 115, 121, 124, 137	
Roll call on motion to substitute report.....	37
reconsider vote .....	41
read third time .....	62
adopt report of Com-	
mittee of Conference	
on Sect. 23.....	93
instruct Committee of	
Conference to vote	
for four-man com-	
mission .....	99
refer bill to next Legis-	
lature.....	124
Itinerant vendors.....	102, 103, 116
Joint convention.....	17, 109

Leaves of absence.....	15, 21, 28, 31, 41, 56, 66, 67, 102
Lempster, repair of highways.....	134, 135, 136, 138
Letter from State Treasurer regarding daily payment of salary to members.....	24
Liquor, intoxicating, to regulate traffic in.....	18, 21, 35, 44, 56, 68, 71, 85, 86, 98, 103, 105, 115, 121, 124, 137
Roll call on motion to substitute report.....	37
reconsider vote.....	41
read third time.....	62
adopt report of Committee of Conference on Sect. 23.....	93
instruct Committee of Conference to vote for four-man commission.....	99
refer bill to next Legislature.....	124
Messages from the Governor.....	18, 110, 139
Senate.....	16, 17, 19, 71, 85, 98, 102, 106, 116, 120, 130, 134, 136, 138
Mileage of special session.....	130, 132, 135, 138
roll .....	152
Mount St. Mary's Convent of Manchester, charter of....	116, 120, 137
Neal, Guy S., and others, in favor of.....	129, 131, 135, 138
Paupers, settlement of.....	119, 139
Pay roll.....	140
Personal privilege, Representative Bryer of Sandwich rose to question of.....	68
Towle of Freedom rose to question of.....	116
Petitions presented and referred.....	25, 28
Portsmouth, legalizing action taken relative to amendment to city charter.....	102, 115, 137
Prayers by Chaplain.....	3, 21, 24, 27, 28, 31, 40, 55, 65, 66, 67, 69, 85
Proclamation by Governor.....	3
Resolution adopting joint rules.....	15
rules.....	16
allowing committees to sit jointly on bills pertaining to liquor legislation .....	19
fixing hours of sessions.....	17

for appointment of committee to inform Governor	
Legislature has completed business of session.	138, 139
final adjournment.....	136, 137
instructing Clerk to print 2,000 copies of House Bill No.	
489 .....	105
notifying Senate House has assembled.....	15
regarding appointment of committee to notify Governor	
Senate and House are in joint convention .....	109
assignment of committee rooms.....	17
newspapers .....	17
qualification of members.....	19
report of committee.	22
reference of liquor bills to Committee of the	
Whole .....	23
signing attendance cards.....	16
requesting Governor to call special session.....	114, 127
Senate to meet House to receive message	
from Governor.....	15, 105
Speaker to obtain opinion of Supreme Court	
on constitutionality of Senate Bill No. 58.	128
Resolutions of sympathy on illness of Representative Harrigan of	
Lebanon .....	20
Representative Richardson	
of Littleton.....	69
Representative Woodbury of	
Salem .....	19
on death of Representative Buckley of Portsmouth,	
committee appointed to prepare.....	102
report of.....	114
Representative Davis of Laconia, committee	
appointed to prepare.....	20
report of.....	25
Representative Perkins of Holderness, committee	
appointed to prepare.....	20
report of.....	26
Representative Shirley of Conway, committee	
appointed to prepare.....	20
report of.....	22
Roll call, opening.....	4
on House Bill No. 489, instructing Committee of Conference	
to vote for four-man commission .....	99
motion to reconsider.....	41
reference to next legislature.....	124

report of Committee of Confer-	
ence on Sect. 23.....	93
substitution of reports.....	37
third reading .....	62
491, substitution of reports .....	32
mileage .....	152
pay .....	141
Ruling of Attorney General regarding 15-day period.....	70
Senate messages. See messages from the Senate.	
Settlement of paupers.....	119, 139
State alcohol control, authority to create.....	18, 21, 139
Hospital, renewals and improvements to heat, light and power	
plant .....	129, 132
Prison, repairs.....	133, 135, 138
Unity, repair of highways.....	134, 135, 136, 138













